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TITLE 3—THE PRESIDENT

PROCLAMATION 3099

CARRYING OUT THE SUPPLEMENTARY AGREEMENT WITH SWITZERLAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

1. WHEREAS, pursuant to the authority vested in the President by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended, on January 9, 1936, he entered into a trade agreement with the Swiss Federal Council, including two schedules and a declaration annexed thereto (49 Stat. (pt. 2) 3918) and by a proclamation of January 9, 1936 (49 Stat. (pt. 2) 3917) he proclaimed the said trade agreement, which proclamation has been supplemented by a proclamation of May 7, 1936 (49 Stat. (pt. 2) 3959) and a proclamation of November 28, 1940 (54 Stat. (pt. 2) 2461)

2. WHEREAS the said trade agreement specified in the first recital was supplemented on October 13, 1950, by certain provisions set forth in the 13th recital of the President's proclamation of November 26, 1951 (Proclamation No. 2954, 66 Stat. C6)

3. WHEREAS, by Proclamation No. 3062 of July 27, 1954 (3 CFR, 1954 Supp., p. 29) acting under and by virtue of the authority vested in the President by section 350 of the Tariff Act of 1930, as amended, and by section 7 (c) of the Trade Agreements Extension Act of 1951, and in accordance with the said trade agreement specified in the first recital as supplemented on October 13, 1950, the President proclaimed modifications of duty concessions granted by the United States with respect to certain products described in item 367 (a) of Schedule II of the said trade agreement, effective at the close of business July 27, 1954,

4. WHEREAS the said trade agreement specified in the first recital, as supplemented on October 13, 1950, provides for compensatory modifications thereof, whenever action is taken pursuant to Paragraph 1 of the supplemental provisions referred to in the second recital of this proclamation, in order to maintain, to the extent practicable, the general level of reciprocal and mutually advantageous concessions in the said trade agreement;

5. WHEREAS I have found as a fact that under the circumstances recited above existing duties or other import restrictions of the United States of America or of Switzerland are unduly burdening and restricting the foreign trade of the United States of America;

6. WHEREAS, pursuant to section 3 (a) of the Trade Agreements Extension Act of 1951 (65 Stat. 72) I transmitted to the United States Tariff Commission for investigation and report a list of all articles imported into the United States of America to be considered for possible modification of duties and other import restrictions, imposition of additional import restrictions, or continuance of existing customs or excise treatment in trade-agreement negotiations with Switzerland looking towards possible restoration of the general level of reciprocal and mutually advantageous concessions in the said trade agreement, and the said Tariff Commission has made an investigation in accordance with section 3 of said Trade Agreements Extension Act and thereafter reported to the President its findings based thereon;

7. WHEREAS reasonable public notice of the intention to negotiate a supplementary trade agreement with Switzerland was given and the views presented by persons interested in the negotiation of such supplementary agreement were received and considered;

8. WHEREAS, after seeking and obtaining information and advice with respect thereto from the Departments of State, Agriculture, Commerce, and Defense, and from other sources, I entered into a trade agreement on June 8, 1955, with the Swiss Federal Council, further supplementing the said trade agreement specified in the first recital, a copy of which supplementary agreement of June 8, 1955, including the supplemental schedule annexed thereto, authentic in both the English and French languages, is annexed to this proclamation;

9. WHEREAS I find that the compensatory modifications provided for in the said supplementary trade agreement specified in the eighth recital constitute appropriate action toward maintaining the general level of reciprocal and mutually advantageous concessions in the said trade agreement specified in the first recital, and that the purpose set

(Continued on p. 4563)

CONTENTS

THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

forth in section 350 (a) of the Tariff Act of 1930, as amended, will be promoted by such compensatory modifications of existing duties and other import restrictions and continuance of existing customs and excise treatment as are set forth and provided for in the said supplementary trade agreement;

10. WHEREAS it is provided in paragraph numbered 4 of the said supplementary agreement specified in the eighth recital that it shall enter into force on July 11, 1955;

11. WHEREAS I find that such modifications of existing duties and other import restrictions and such continuance of existing customs and excise treatment of articles as are hereinafter proclaimed in Part I of this proclamation will be required or appropriate, on and after July 11, 1955, to carry out the said supplementary trade agreement specified in the eighth recital;

12. WHEREAS, pursuant to the authority vested in the President by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended, on October 30, 1947, he entered into an exclusive trade agreement with the Government of the Republic of Cuba (61 Stat. (pt. 4) 3699), and by Proclamation No. 2764 of January 1, 1948 (62 Stat. (pt. 2) 1465), he proclaimed such modifications of existing duties and other import restrictions of the United States of America in respect of the Republic of Cuba and such continuance of existing customs and excise treatment of products of the Republic of Cuba imported into the United States of America as were then found to be required or appropriate to carry out the said exclusive agreement, which proclamation has been supplemented by Proclamation 2929 of June 2, 1951, (65 Stat. C12) and by the proclamations referred to in the twelfth recital thereof; and

13. WHEREAS I determine that, in view of the finding set forth in the eleventh recital of this proclamation, the deletion of the second item 28 (a) (as amended by the said proclamation of June 2, 1951) from the list set forth in the ninth recital of the said proclamation of January 1, 1948, as amended and rectified, will be required or appropriate to carry out the said exclusive trade agreement specified in the twelfth recital of this proclamation on and after July 11, 1955:

NOW THEREFORE, I, Dwight D. Eisenhower, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and the statutes, including the said section 350 of the Tariff Act of 1930, as amended, do proclaim as follows:

PART I

To the end that the said supplementary trade agreement specified in the eighth recital may be carried out, such modifications of existing duties and other import restrictions of the United States of America and such continuance of existing customs or excise treatment of articles imported into the United States of America as are provided for in the said supplementary agreement of June 8, 1955, shall be effective on and after July 11, 1955.

PART II

To the end that the said exclusive trade agreement specified in the twelfth recital may be carried out, the list set forth in the ninth recital of the said proclamation of January 1, 1948, as amended and rectified, shall be further amended by deleting therefrom the second item 28 (a) as amended by the said proclamation of June 2, 1951, effective on and after July 11, 1955.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 25th day of June, in the year of our Lord nineteen hundred and [SEAL] fifty-five, and of the Independence of the United States of America the one hundred and seventy-ninth.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 55-5264; Filed, June 23, 1955; 10:03 a. m.]

RULES AND REGULATIONS

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1955 C. C. C. Grain Price Support Bulletin 1, Amdt. 1]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—GENERAL PROVISIONS 1955-CROP PRICE SUPPORT PROGRAMS FOR GRAINS AND RELATED COMMODITIES

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 20 F. R. 3017 and containing regulations of a general nature with respect to price support programs for certain grains and other commodities produced in 1955 are amended as follows:

1. Section 421.1001 is amended to provide for approval of price support documents by the county office manager so that the amended section reads as follows:

§ 421.1001 *Administration.* The programs to which this subpart applies will be administered by CSS, under the general direction and supervision of the Executive Vice President, CCC, and in the field, will be carried out by Agricultural Stabilization and Conservation State Committees and Agricultural Stabilization and Conservation County Committees (hereinafter called State and County Committees) and CSS commodity offices. Producers interested in participating in the program should contact their county office through which the price support documents will be distributed. All documents will be approved by the county office manager, or other employee of the county office designated by him to act in his behalf. Such designations shall be on file in the county office. Copies of all price support documents shall be retained in the county office. County office managers, State and county committees, and CSS commodity offices do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements to this subpart.

2. Section 421.1018 (a) (1) is changed by deleting the fourth, fifth and sixth

sentences and inserting three new sentences in lieu thereof to clarify the conditions under which a grade and quality determination will be made when the commodity is going out of condition, or is in danger of going out of condition, so that the amended subparagraph reads as follows:

§ 421.1018 *Liquidation of loans and delivery under purchase agreements*—(a) *Farm-storage loans.* (1) The producer is required to pay off his loan on or before maturity or to deliver the commodity in accordance with instructions issued by the county committee. If the producer desires to deliver the commodity, he should, prior to maturity give the county committee notice in writing of his intention to do so. The producer may however, pay off his loan and redeem his commodity at any time prior to the delivery of the commodity to CCC or removal of the commodity by CCC. If, either before or after maturity, the commodity is going out of condition or is in danger of going out of condition, the producer shall so notify the county committee, and confirm such notice in writing. If the county committee determines that the commodity is going out of condition or is in danger of going out of condition and that the commodity cannot be satisfactorily conditioned by the producer, and delivery cannot be accepted within a reasonable length of time, the county committee shall arrange for an inspection and grade and quality determination. When delivery is completed, settlement shall be made on the basis of such grade and quality determination or on the basis of the grade and quality determination made at the time of delivery, whichever is higher. In the event the farm is sold, there is a change of tenancy, or the producer dies, the commodity may be delivered before the maturity date of the loan, upon prior approval by the county committee, or may be delivered before the maturity date of the loan for other reasons upon authorization of the Executive Vice President, CCC. Settlement will be made at the applicable support rate, subject to the provisions of the Producer's Note and Supplemental Loan Agreement and applicable commodity supplement according to grade and quality. Delivery of commodities in bulk will be accepted only from the bin(s) in which the commodity under loan is stored. In case a loan is made on part of the commodity in the bin, the maximum quantity eligible for delivery shall be the quantity on which the loan was made plus any normal overrun established by the State Committee. In the case of commodities stored in bags, only the quantity contained in the bags included in the lot placed under loan may be delivered. Settlement will be made on the quantity delivered by the producer as determined by the county committee in accordance with the applicable commodity supplement.

3. Section 421.1018 (d) (3) is changed to set forth certain conditions under which CCC will assume losses due to quality deterioration so that the amended subparagraph reads as follows:

§ 421.1018 *Liquidation of loans and delivery under purchase agreements.* * * *

(d) *Purchase agreements.* * * *

(3) The producer may be required to retain a commodity stored in other than approved warehouse storage for a period of 60 days after the applicable loan maturity date without any cost to CCC. CCC will not assume any loss in quantity or quality of a commodity covered by a purchase agreement occurring prior to delivery to CCC, except for quality deterioration under the following circumstances. If a producer has properly requested delivery instructions and CCC cannot accept delivery within the 60 day period following the applicable loan maturity date, the producer may notify the county committee at any time after such 60 day period that the commodity is going out of condition or is in danger of going out of condition. Such notice must be confirmed in writing. If the county committee determines that the commodity is going out of condition or is in danger of going out of condition and that the commodity cannot be satisfactorily conditioned by the producer, and delivery cannot be accepted within a reasonable length of time, the county committee shall obtain an inspection and grade and quality determination. When delivery is completed, settlement shall be made on the basis of such grade and quality determination or on the basis of the grade and quality determination made at the time of delivery, whichever is higher, and on the basis of the quantity actually delivered.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 301, 401, 63 Stat. 1051, 66 Stat. 758, 15 U. S. C. 714c; 7 U. S. C. 1441, 1447, 1421)

Issued this 23d day of June 1955.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 55-5166; Filed, June 28, 1955; 8:48 a. m.]

Subchapter C—International Wheat Agreement

PART 481—COMMODITY CREDIT CORPORATION WHEAT AND WHEAT-FLOUR EXPORT PROGRAM

SUBPART—TERMS AND CONDITIONS OF 1954–55 PROGRAM

NOTICE OF TERMINATION

The offer contained in the "Terms and Conditions of 1954–55 Wheat and Wheat-Flour Export Program", as amended, June 21, 1954 (§§ 481.525 to 481.589) is terminated as of June 27, 1955, 3:30 p. m., e. s. t., with respect to sales made after such date. Payment on sales made prior to the termination date of such offer shall be at the rate in effect at the time of such sales, or the rate in effect at the time of giving Notice of Sale, whichever rate is the lower.

(Sec. 2, 63 Stat. 945, 946, Sec. 104, 64 Stat. 198, 67 Stat. 358; 7 U. S. C. 1641, 1642)

Dated this 24th day of June 1955.

WALTER C. BERGER,
Acting Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 55-5196; Filed, June 27, 1955; 3:25 p. m.]

PART 481—COMMODITY CREDIT CORPORATION WHEAT AND WHEAT-FLOUR EXPORT PAYMENT PROGRAM (IWA)

SUBPART—TERMS AND CONDITIONS OF 1955–56 PROGRAM

GENERAL

Sec.
481.625 General statement.

ELIGIBILITY FOR PAYMENT BY THE COMMODITY CREDIT CORPORATION

481.630 General conditions of eligibility.
481.631 Program period.
481.632 Date of exportation.
481.633 Exports to designated countries.
481.634 Excess quantities exported.
481.635 Reports.
481.636 Evidence of export.
481.637 Reentry or diversion.
481.638 Wheat and flour exported prior to sale.

EXPORT PAYMENT RATES AND ANNOUNCEMENTS

481.640 Announcements of rates.
481.641 Determination of rates.
481.642 Conversion factors.
481.643 Statement of status of purchases and sales.
481.644 Maximum and minimum prices.

CONFIRMATION OF SALE

481.648 Confirmation of eligibility.
481.649 Eligibility for entry in the Wheat Council's records.

DESIGNATED COUNTRIES

481.653 Designated countries.

REPORTS

481.655 Notice of Sale.
481.656 Declaration of Sale and evidence of sale.
481.657 Notice of Export.
481.658 Additional reports.

APPLICATION FOR PAYMENT

481.660 Application for payment.
481.661 Public Voucher Form CSS 21.
481.662 Documents required to evidence exportation by exporter.
481.663 Submission of vouchers for payment.

OBLIGATION AND DEFAULT

481.665 Exporter's agreement with CCC.
481.666 Cancellation of sale or failure to export.

MISCELLANEOUS PROVISIONS

481.670 Records and accounts.
481.671 Assignments.
481.672 Good faith.
481.673 Amendment and termination.
481.674 Persons not eligible.
481.675 Submission of reports.

DEFINITIONS

481.680 Vice President.
481.681 Director.
481.682 Wheat Agreement.
481.683 Wheat Council.
481.684 Wheat.
481.685 Flour.
481.686 Export.
481.687 Ocean carrier.

AUTHORITY: §§ 481.625 to 481.689 issued under sec. 2, 63 Stat. 945, 946, sec. 104, 64 Stat. 198, 67 Stat. 358; 7 U. S. C. 1641, 1642.

GENERAL

§ 481.625 *General statement.* In order to encourage the sale and exportation by commercial exporters of wheat produced in the United States and flour processed in the United States from such wheat and in order to exercise the rights, obtain the benefits and fulfill the obligations of the United States under the Wheat Agreement, the Commodity Credit Corporation (referred to in this subpart as CCC) pursuant to the authority conferred by section 2 of the International Wheat Agreement Act of 1949, as amended, offers to make payments to exporters under the terms and conditions stated in this subpart. Information pertaining to the operation of this program and forms prescribed for use thereunder can be obtained upon request directed to the address shown in § 481.675, or from the Director, Commodity Stabilization Service Office, U. S. Department of Agriculture, located in the cities listed in § 481.663.

ELIGIBILITY FOR PAYMENT BY THE COMMODITY CREDIT CORPORATION

§ 481.630 *General conditions of eligibility.* (a) Payment under this subpart will be made to an exporter in connection with the net quantity of wheat or flour exported to a designated country from the United States and the net quantity of wheat or flour in customs bond in Canada exported to a designated country from Canadian ports, excluding West Coast Canadian ports, pursuant to a sale to a foreign buyer for which he receives a confirmation by the CCC in accordance with § 481.648, subject to the additional conditions set forth in this subpart. Payment also will be made to an exporter for wheat or flour exported prior to sale and for which the exporter has received a confirmation by the CCC subject to the conditions contained in § 481.638.

(b) A sale which involves wheat produced outside the United States, or flour processed from any such wheat, or a mixture which is partly derived from wheat produced outside the United States is not eligible for confirmation by the CCC for export payment. However, in the event that CCC determines that such a mixture is exported unintentionally, payment may be made but only on that portion, which is established to the satisfaction of CCC as having been, produced in the United States.

(c) In any case where the Wheat Council, subsequent to confirmation by the CCC, determines that a sale, or any part thereof, is ineligible to be, or to remain, recorded because of non-compliance with the applicable regulations of the importing country governing purchase and importation under the Wheat Agreement, payment may be withheld or required to be refunded if already made.

(d) Wheat or flour exported pursuant to any other CCC program wherein the price reflects an export allowance shall not be eligible for payment under this subpart.

§ 481.631 *Program period.* Sales entered into after the effective date of this offer and not later than June 30, 1956, for recording against the 1954–55 or 1955–56 Wheat Agreement year quotas, are eligible for payment under this offer. Sales must be entered into during periods in which an announced rate is in effect, and in reliance thereon, in order to be eligible for payment.

§ 481.632 *Date of exportation.* (a) Wheat or flour sold for recording against the 1954–55 Wheat Agreement guaranteed quantities must be exported on or before August 14, 1955, unless approval is obtained from the Director, Grain Division, Commodity Stabilization Service (referred to in this subpart as the Director), to export subsequent thereto. Wheat or flour sold for recording against the 1955–56 Wheat Agreement guaranteed quantities must be exported during the period August 1, 1955 to July 31, 1956, inclusive, unless exportation prior or subsequent to that period is authorized (1) by announcement issued in connection with the daily export payment rate announcement (see § 481.640) or (2) in specific cases by prior approval of the Director.

(b) Wheat or flour sold for export in a specified export rate period must be exported before the end of that period in order for that exporter to obtain the export payment rate applicable to that sale, unless an extension is obtained changing the export date to a later period. In the event that export takes place after the specified rate period and the exporter has not obtained an extension to change the export date to a later period, the export payment rate will be that which was in effect at time of sale, or time of giving Notice of Sale, whichever is lower, for the period in which actual export takes place. It will be the policy to grant an extension if it can be shown that exportation under the contract has been delayed by circumstances beyond the exporter's or importer's control and is not due to intentional violation of the contract.

§ 481.633 *Exports to designated countries.* Exports of wheat or flour under this program shall be made only to the country named in the Notice of Sale and the Declaration of Sale unless the exporter obtains, prior to export, authority from the Director to export to designated country other than the purchasing country named in the Notice of Sale and Declaration of Sale.

§ 481.634 *Excess quantities exported.* Payment will not be made on quantities loaded on vessels or exported by rail or truck which exceed by more than 1 percent the quantity shown on the Declaration of Sale, or, in the case of bulk wheat, a loading tolerance as specified in the contract but which shall not exceed 5 percent of the contract quantity on parcel shipments or 10 percent of the contract quantity on full cargo shipments, unless clearance is obtained from the Director, in which case a new Declaration of Sale and a new Confirmation of Sale for the additional quantity is required. Payment will be made without additional clearance where, in the case of flour or bagged wheat, the loaded quantity does not exceed the contract quantity by more than 1 percent, and in the case of bulk wheat the loaded quantity does not exceed the contract quantity by more than 1 percent, or a loading tolerance as specified in the contract, whichever is greater, but such loading tolerance shall not exceed 5 percent of the contract quantity on parcel shipments and 10 percent of the contract quantity on full cargo shipments.

§ 481.635 *Reports.* The exporter shall submit the reports and documents specified in §§ 481.655 to 481.658, inclusive.

§ 481.636 *Evidence of export.* Proof of Export, and specified supporting documents, must be submitted in accordance with § 481.662.

§ 481.637 *Reentry or diversion.* If any quantity of wheat or flour exported under this subpart is unloaded in the United States or Canada prior to being imported into some country other than the United States or Canada, or because of the exporter's action or with his consent is at any time unloaded in the United States or Canada or diverted to another country while en route, payment may be withheld, or if payment has already been made, the exporter may be required to make such refund or other adjustment as deemed appropriate by the Vice President: *Provided,* That if the wheat or flour with respect to which payment may be withheld or refund required under this section is lost, destroyed or damaged, the amount of the payment withheld or refund required shall not exceed the amount realized or which might reasonably be realized by the exporter over the price at which it was sold to the designated country. The exporter shall notify the Director immediately upon becoming cognizant of any unloading or diversion of wheat or flour with respect to which payment may be withheld or refund required under this section and furnish information as to the condition of such wheat or flour and any claim he may have in connection with any damage or loss thereto or destruction thereof.

§ 481.638 *Wheat and flour exported prior to sale.* (a) In connection with the quantity of wheat and flour exported prior to sale, payments will be made only on that portion thereof which has been reported in accordance with paragraph (b) of this section and only on sales made by the actual exporter of such wheat or flour, and not to any other party who buys such wheat or flour and re-sells it to a designated country.

(b) In order to receive export payment the exporter must have reported the exportation of such wheat or flour to the Director within one week after the date of such exportation as defined in § 481.686, unless additional time for reporting is granted by the Director. This report, which will be considered as a certification by the exporter, must include the following information:

(1) Date of exportation.

(2) Port of exportation.
(3) Country and port of original destination of wheat and flour.
(4) Name of ocean vessel upon which loaded.
(5) Quantity:
(i) Wheat in bushels.
(ii) Flour in net hundredweight.
(6) Class and grade of wheat; or type and extraction of flour.
(7) The report shall also contain a statement that the vessel contains wheat or flour sold to a designated country under the terms of the Wheat Agreement by the exporter filing the report, as provided in paragraph (c) of this section.

(c) Only wheat or flour which is loaded on a vessel which also carries wheat or flour which has been sold by the same exporter to a designated country as provided in this subpart shall be reported under paragraph (b) of this section, and shall be eligible for export payment when sold. In the case of full cargo shipments the unsold portion shall not exceed one-third of the total cargo. In the case of part cargo lots the unsold portion shall not exceed 2,000 metric tons.

(d) At such time as the wheat or flour is sold to a designated country, the exporter shall report the sale to the Director as provided in § 481.655, and shall submit all other reports and documents as required by this subpart. In reporting the sale the exporter must state that the wheat or flour sold was reported to the Director, as provided in paragraph (b) of this section. This may be done by the use of the code word "Abroad."

(e) The export rate applicable to such sale shall be that rate in effect at time of sale, or time of giving Notice of Sale, whichever is the lower, for the current export rate period which applies (1) to the port from which the wheat or flour was exported, and (2) to the designated country shown in the Notice of Sale and the Declaration of Sale, or the country of final destination, whichever is lower.

(f) In addition to the documents required under § 481.662, the exporter will be required in the case of flour to submit with Public Voucher Form CSS 21 a document which carries a description of such flour. The exporter should obtain separate bill or bills of lading for both the unsold and sold quantities of wheat or flour exported.

(g) All other conditions of this subpart, except as modified by paragraphs (a) (b) (c) (d) and (e) of this section are applicable to sales described by this section.

EXPORT PAYMENT RATES AND ANNOUNCEMENTS

§ 481.640 *Announcement of rates.* Export payment rates will be announced from Washington, D. C., daily or at intervals of up to 7 days. Announcement of rates will be released at approximately 3:31 p. m., e. s. t. (see § 481.689) and will remain in effect through 3:30 p. m., e. s. t., on the expiration date stated in the announcement at which time a new announcement will be made. No rates will be announced on Saturday, and rates effective at 3:31 p. m., e. s. t., on Friday will be considered as in effect through 3:30 p. m., e. s. t., of the market day succeeding Saturday unless the announcement specifically provides otherwise. Announcement will be available through a press release, ticker service, and through Commodity Stabilization Service Offices at Portland (Oregon) Minneapolis, Kansas City (Missouri) Dallas, Chicago, and New Orleans. Different rates of payment based upon export ports or areas, destinations, period of exportation, or other factors may be announced for the same period.

§ 481.641 *Determination of rates.* The rate in effect at the time of sale to the foreign buyer in the country of destination or the time of giving Notice of Sale as required by § 481.655 (a) whichever rate is the lower, shall be the rate applicable to the sale. In the case of resales of wheat or flour, the export rate for such sales will be that applicable to the original purchasing country or to the country of final destination, whichever is lower. The supporting evidence as proof of sale submitted by the exporter in form prescribed in § 481.656 (d) will be the basis for determining the time of sale. The following are factors which may be determinative of the time of sale.

(a) Time of filing by the exporter of a cablegram or time of mailing of a written acceptance of a definite offer to purchase received from the foreign buyer.

(b) Time of receipt by the exporter of a cablegram or other written acceptance from the foreign buyer of a definite offer by the exporter to sell or the time of receipt by the exporter of a cablegram or other written notification from his agent that the foreign buyer has accepted a definite offer by the exporter to sell.

(c) Time of filing by the exporter of a cablegram or time of mailing of a written confirmation of the booking of a shipment or shipments to be made pursuant to an open offer of the exporter to sell or a standing order of the buyer to purchase. It must be clear from the evidence, however, that the exporter is empowered by the terms of the open offer or standing order to confirm the contract by issuing a confirmation. For example, if he is authorized to confirm the sale at a price which may be established at his option, the evidence must show that such is the understanding between buyer and seller, otherwise it will be necessary for the buyer also to confirm the price, and receipt of the buyer's confirmation will establish the time of sale.

(d) Sales may be made through a third principal party, but in such cases, in determining the time of sale, no substantially greater lapse of time for receipt of buyer's confirmation will be recognized than would have elapsed had the exporter been dealing directly with the ultimate foreign buyer. In such a transaction, the evidence of sale required by § 481.656 (d) shall include documents exchanged between the exporter, the ultimate foreign buyer, and the intermediate third party.

(e) A sale shall not be considered as entered into until the purchase price has been established, and time of sale shall be the earliest date on which a firm contract exists between buyer and seller and on which a firm price has been established. In order to receive payment at the announced rate in effect at the time of sale, it is important that the exporter give timely Notice of Sale as required by § 481.655 (a) and present documentary evidence that the sale was consummated at such time.

(f) If export is wholly by truck or rail and the time of sale cannot be determined on the basis of the factors set forth in paragraph (a), (b) or (c) of this section, or by any other means, the sale will be deemed to have been made at the time of issuance of inland bill of lading, or if none is issued, at the time of clearance through United States customs. If export is by ocean carrier and time of sale cannot be determined as outlined above, the sale will be deemed to have been made at the time of issuance of ocean carrier bill of lading, or if none is issued, at the time the wheat or flour is loaded on board ocean carrier.

(g) If the time of day at which the sale was consummated is not established and two payment rates are in effect on the day the sale was consummated, the time of consummation of sale will be deemed to be at the time the lower of the two rates was in effect.

§ 481.642 *Conversion factors.* The following conversion factors shall be applied to the announced rate to determine the rate applicable to a particular type of flour:

	Factor
Wheat flour (including clears), derived from conventional milling practices which are generally accepted in the milling industry in the United States as representing a 72 percent extraction operation	1.000
Semolina and farina	1.000
Wheat flour, derived from conventional milling practices which are generally accepted in the milling industry in the United States as representing an 80 percent extraction operation	.919
Whole Wheat Flour	717

§ 481.643 *Statement of status of purchases and sales.* There will be issued not less often than weekly, a statement as to the progress of purchases and sales by individual importing and exporting countries against their guaranteed quantities. Any exporter upon request, addressed to the office indicated in § 481.675, will be furnished with such information as is available as to the status of the fulfillment of guaranteed quantities under the Wheat Agreement.

§ 481.644 *Maximum and minimum prices.* Maximum and/or minimum prices at which wheat may be sold under the Wheat Agreement will be announced from time to time by CCC. The Wheat Agreement provides that to such maximum prices may be added such marketing costs and carrying charges as may be agreed between buyer and seller, and that such carrying charges may accrue for the buyer's account only after an agreed date specified in the contract under which the wheat is sold. (See § 481.655 (b) (3) (i).)

CONFIRMATION OF ELIGIBILITY

§ 481.648 (a) *Confirmation of eligibility.* Upon receipt of the Notice of

Sale required by § 481.655, CCC will confirm the eligibility of the sale or any part thereof, by telegram, for payment upon proof that the conditions set forth in this subpart have been met, unless CCC determines that the transaction is ineligible for entry in the records of the Wheat Council under the provisions of the Wheat Agreement or unless CCC determines that the transaction would not obtain for the U. S. the maximum benefits under the Wheat Agreement. Accordingly, it may be to the exporter's advantage in some instances to ascertain from the office indicated in § 481.675, prior to making a sale, whether the sale may be confirmed as eligible. It shall be the responsibility of the exporter to protect himself (for example, by inserting an appropriate provision into his sales contract) against the possibility that the transaction will not be confirmed. It shall not be the duty or responsibility of CCC to guarantee that a transaction which appears to the exporter prior to sale to be eligible for recording in the Wheat Council's records will be confirmed as eligible.

(b) In the telegram of confirmation, CCC may utilize the code letters "CEP" to indicate "Confirmed as Eligible for Payment."

(c) *Assigning of numbers.* Each confirmation will be assigned a number which shall be called the Wheat Agreement Sale Number. This number will be included in the Confirmation of eligibility, and thereafter shall be shown on the Declaration of Sale (see § 481.656), the Notice of Export (see § 481.657) and Voucher Form CSS–21, and in all correspondence with reference to the transaction.

§ 481.649 *Eligibility for entry in the Wheat Council's records.* The Wheat Agreement provides that:

(a) *Wheat.* A transaction or part of a transaction in wheat-grain between participating exporting and importing countries is eligible for entry in the Wheat Council's records against guaranteed quantities of those countries for a crop year:

(1) Provided (i) it is at a price not higher than the maximum nor lower than the minimum (i. e., the equivalents of the basic maximum and minimum prices) in effect during the crop year in which the loading periods specified in the transaction falls and (ii) the exporting and importing countries have not agreed that it shall not be entered against their guaranteed quantities, and

(2) To the extent that (i) both the importing and exporting countries concerned have unfilled quantities for the crop year, and (ii) the loading period specified in the transaction falls within that crop year.

(b) *Flour* If a commercial contract or governmental agreement on the sale and purchase of flour contains a statement, or if the exporting country and the importing country concerned inform the Wheat Council that they are agreed, that the price of such flour is consistent with the maximum and minimum price in effect during the crop year in which the loading period specified in the transaction falls, the wheat-grain equivalent of such flour shall, subject to the conditions prescribed in paragraph (a) (1) and (2) of this section, be entered in the Wheat Council's records against the guaranteed quantities of those countries. If there is no such statement or agreement as specified in this paragraph, either country involved in the transaction may request the Wheat Council to decide whether the quantity sold should be entered in its records and the Wheat Council shall decide whether the price at which the flour was sold justified the entry of the transaction in the records.

DESIGNATED COUNTRIES

§ 481.653 *Designated countries.* A designated country shall be any one of the following countries, including territories, which has been designated by announcement issued in connection with export payment rates provided for in § 481.640.

Austria.	Italy.
Belgium.	Japan.
Bolivia.	Jordan.
Brazil.	Korea.
Ceylon.	Lebanon.
Costa Rica.	Liberia.
Cuba.	Mexico.
Denmark.	Netherlands.
Dominican Republic.	New Zealand.
Ecuador.	Nicaragua.
Egypt.	Norway.
El Salvador.	Panama.
Germany.	Peru.
Greece.	Philippines.
Guatemala.	Portugal.
Haiti.	Saudi Arabia.
Honduras.	Spain.
Iceland.	Switzerland.
India.	Union of South Africa.
Indonesia.	Vatican City State.
Ireland.	Venezuela.
Israel.	Yugoslavia.

The foregoing list may be amended from time to time. Nothing in this subpart shall be deemed to authorize the exportation of wheat or flour in violation of any statute, order or regulation now in existence or hereafter established.

REPORTS

§ 481.655 *Notice of Sale*—(a) *Time.* (1) The exporter shall file a Notice of Sale, normally as soon as possible after consummation of the sale. (See § 481.675.) (In order to comply with the terms of the Wheat Agreement, CCC's report of transactions must reach the Wheat Council in London not later than 10 days after date of consummation.)

(2) The order in which transactions are reported (time of filing telegraphic notice) or time of giving telephonic notice assumes importance when guaranteed quantities are near to being filled. Notices of Sale should normally be filed by telegraph or by telephone. Telephone notices should be confirmed immediately by telegraph.

(3) If notice is not given by telephone, and the exporter desires to take advantage of the current rate of payment, the telegram reporting sale must be filed by 3:30 p. m., e. s. t., on the expiration date for such rate as shown in the rate announcement.

(4) A Notice of Sale may include all sales made to any one designated country during any 24-hour period ending at 3:30 p. m., e. s. t. It shall be normal practice when such multiple sales are submitted in one telegraphic Notice of Sale to assign one Wheat Agreement Sale Number to apply to all sales to a particular country shown in that telegram. Every sale reported in a separate telegram will be assigned an individual Sale Number.

(b) *Information required.* In giving Notice of Sale the exporter must report the following information:

(1) Date of sale.

(2) Contract quantity:

(i) Wheat in bushels.

(ii) For bulk wheat the contract loading tolerance, if any, in percentage, but not in excess of five percent on parcel shipments or ten percent on full cargo shipments.

(iii) Flour in net hundredweight.

(3) Sale price:

(i) In the case of wheat, the sale price must be shown on an f. o. b. vessel bulk basis, except that on exports from West Coast ports price may be given on an instore basis. In addition, the coast of export must be shown. If, because of marketing costs and carrying charges as provided for in § 481.644, the sales price exceeds the maximum price, the Notice of Sale must show the total price and the amount thereof included for marketing costs and carrying charges, each shown separately. The f. o. b. or the instore price shown shall include all charges and commissions necessary to the sale and moving of the wheat to the f. o. b. or the instore position. For example, a selling agent's commission shall be included, whereas guaranteed outturn insurance shall not be included.

(ii) In case of flour, the sales price need not be shown, but the notice must contain a certification that buyer and seller agree that the price of the flour is consistent with the prices specified in the Wheat Agreement. This may be reported by the code word "Akord."

(4) Purchasing country.

(5) Name of purchaser. (Where the sale involves more than one purchaser, the Notice of Sale should contain the name of one purchaser and the word "others.")

(6) The number of the import license, buying permit, or similar authorization applicable to the sale, for those countries where such is required for IWA transactions, unless otherwise authorized by the Director. (Where the sale involves more than one purchaser, the Notice of Sale should contain one license number and the word "others".)

(7) Delivery period specified in contract.

(8) Class and grade of wheat.

(9) The word "Abroad" for wheat or flour exported prior to sale. (See § 481.638 (d).)

(10) Such additional information in individual cases as may be requested by the Director.

§ 481.656 *Declaration of Sale and evidence of sale*—(a) *Time of submission and required copies.* (1) The exporter shall prepare a Declaration of Sale (Wheat Agreement Form No. 1) and mail or deliver it normally within two

days after receipt of the Confirmation of Eligibility. (See § 481.675.)

(2) The Declaration of Sale must be submitted in triplicate where there is only one buyer, and in quadruplicate where there is more than one buyer. The original and all copies shall be signed in an original signature by the exporter or his authorized representative. One copy of the Declaration of Sale will be acknowledged and returned to the exporter.

(3) One Declaration of Sale normally should be submitted by the exporter for each sale identified by a Sale Number assigned in the Confirmation of Eligibility (see § 481.648 (b)) although this is not mandatory. If more than one Declaration of Sale is submitted, the letters A, B, C, etc., shall be added to the Wheat Agreement Sale Number on the respective declaration.

(b) *Information required.* The information to be entered on the Wheat Agreement Form No. 1, Declaration of Sale, is as follows:

(1) The Wheat Agreement Sale Number as assigned in the Confirmation of Eligibility.

(2) Date and time of sale.

(3) Name of purchaser, or purchasers.

(4) The number of each import license, buying permit, or similar authorization applicable to the sale, for those countries where such are required for IWA transactions. The applicable number(s) shall be entered following each buyer's name. All applicable numbers shall be so entered even though such numbers were reported in the Notice of Sale.

(5) Quantity sold:

(i) Wheat in bushels. If, in the case of bulk wheat, the sales contract provides for a loading tolerance, the amount of such tolerance, but not to exceed five percent on parcel shipment or ten percent on full cargo shipments, given in percentage figures shall be entered directly following the quantity sold.

(ii) Flour in net hundredweight.

(6) Purchasing country. (If the country of final destination is other than the purchasing country, the country of final destination shall be shown as a parenthetical entry following the name of the purchasing country.)

(7) Delivery period specified in the contract.

(8) Class and grade of wheat or type and extraction of flour. In the case of flour, the class of wheat from which the flour was milled and the approximate ash content must be shown. For example: "Hard Spring 0.48 Ash" For blended flours, the most predominant class of wheat contained in the blend should be shown. For example: "Blended (predominantly) Hard Winter 0.70 ash"

(9) Price and the basis upon which price is determined:

(i) The sales price in the case of wheat must be given on an f. o. b. vessel, bulk, basis, on exports from gulf and East Coast ports and on an in-store or f. o. b. vessel, bulk, basis, on exports from the West Coast ports. If, because of marketing costs and carrying charges as provided for in § 481.644, the sale price of wheat exceeds the maximum price, the declaration shall show the total price and the amount thereof included for marketing costs and carrying charges, each shown separately. The f. o. b. or the in-store price shown shall include all charges and commissions necesary to the sale and the moving of the wheat to the f. o. b. or the in-store position. For example, a selling agent's commission shall be included, whereas guaranteed out-turn insurance shall not be included.

(10) Export rate per bushel of wheat or per hundredweight of flour in effect as determined by § 481.641.

(11) Coastal area from which it is anticipated exportation will be made.

(12) Such additional information in individual cases as may be requested by the Director.

(c) *Name in which filed.* The Declaration of Sale must be filed in the name of the exporter who has sold the wheat or flour to a foreign buyer. Persons or firms selling wheat or flour to others who resell such wheat or flour to foreign buyers are not exporters. If a sale is made under a trade name, the Declaration of Sale may be filed under such name provided the name of the actual exporter and the relationship between the two is clearly established by an appropriate signature on the Declaration and all related documents, such as:

AMERICAN MILLING CO.,
(Trade Name)
U. S. MILLING CO.,
(s) JOHN SMITH,
Secretary.

(d) *Evidence of sale.* Supporting evidence of sale, in one copy only must be filed with each Declaration of Sale. Such evidence may be in the form of certified true copies of offer and acceptance or other documentary evidence of sale including contracts between exporter and buyer. In transactions involving a third principal party (see § 481.641 (d)) the evidence shall include documents exchanged between the exporter, the ultimate foreign buyer, and the intermediate third party. In the case of flour the exporter must also furnish a signed statement or other acceptable evidence, such as an exchange of cables, to the effect that buyer and seller agree that the price of the flour is consistent with prices specified in the Wheat Agreement.

§ 481.657 *Notice of Export*—(a) *Time of submission and required copies.* Only one Notice of Export, Wheat Agreement Form No. 2, is required in connection with any one Declaration of Sale. Such Notice of Export must be mailed or delivered by the exporter normally within three days after date of export of the last shipment against the quantity shown as sold on the applicable Declaration of Sale, unless such time of filing is extended by the Director. (See § 481.675.)

(b) *Information required.* The Notice of Export shall contain the following information:

(1) Wheat Agreement Sale Number.

(2) Date of export of final shipment.

(3) Country of destination.

(4) Total quantity actually loaded on all shipments made in connection with applicable Declaration of Sale.

(i) Wheat in bushels, excluding dockage.

(ii) Flour in net hundredweight.

(5) The U. S. coastal area or areas from which the wheat or flour was exported. If more than one coastal area is involved, the quantity exported from each should be shown.

§ 481.658 *Additional reports.* The exporter shall file such additional reports as may be required from time to time by the Director, subject to the approval of the Bureau of the Budget.

APPLICATION FOR PAYMENT

§ 481.660 *Application for payment.* The exporter shall make an application for payment under this program in the manner set forth in §§ 481.661 and 481.663.

§ 481.661 *Public Voucher Form CSS–21.* An original and two (2) copies of Form CSS–21 must be prepared and submitted together with the evidence of exportation set forth in § 481.662. Supplies of Form CSS–21 and detailed instructions regarding the preparation and submission of Form CSS–21 and supporting documents may be obtained from the CSS Commodity Offices listed in § 481.663 or from the office indicated in § 481.675.

§ 481.662 *Documents required to evidence exportation by exporters*—(a) *Bills of lading or Shipper's Export Declaration.* Each voucher must be supported by one copy of the applicable on-board ocean carrier bill of lading signed by an agent of the ocean carrier which shows that the wheat or flour is destined for the buyer identified with the Declaration of Sale and supporting evidence, unless otherwise approved by the Director. Where loss, destruction or damage occurs subsequent to loading on-board ocean carrier but prior to issuance of on-board bill of lading, one copy of a Loading Tally Sheet or similar document may be submitted in lieu of such bill of lading; or if exported wholly by rail or truck, one copy of the Shipper's Export Declaration authenticated by the appropriate United States Customs official which identifies the shipment(s) and shows date of clearance into the foreign country. If the final destination of the shipment is a designated country not shown on the ocean bill of lading, the exporter also shall furnish an authenticated copy of Shipper's Export Declaration showing country of final destination. In the case of wheat, the voucher must also be supported by one copy of an Export Grain Inspection Certificate issued by an inspector holding a license under the United States Grain Standards Act. Where shipment is exported from a Canadian port, the voucher also must be supported by one copy each of the following documents:

(1) For wheat:

(i) A signed or certified true copy of the bill of lading or other document covering the movement of the wheat from the United States to Canada; and

(ii) A signed or certified true copy of document evidencing the holding of the wheat in customs bond in Canada.

(2) For flour:

(i) A signed or certified true copy of the bill of lading or other document cov-

ering the movement of the flour from the United States to Canada; and

(ii) A statement by the exporter, certified as being a true and correct statement, that the flour for which export payment is claimed is the same flour covered by the bill of lading or other document as required by subdivision (i) of this subparagraph.

(b) *Shipper or consignor other than exporter* If the shipper or consignor named in the on-board ocean bill(s) of lading or the Shipper's Export Declaration(s) covering wheat or flour exported is other than the exporter named in the Notice of Sale and Declaration of Sale, waiver by such shipper or consignor of any interest in the claim in favor of such exporter is required. Such waiver must clearly identify the on-board ocean bill(s) of lading or Shipper's Export Declaration(s) submitted to evidence exportation. If the shipper or consignor is neither the exporter named in the Notice of Sale and Declaration of Sale, nor the consignee identified with the Declaration of Sale and supporting evidence of sale, the exporter must submit, in addition to the waiver a certification by such shipper or consignor that he acted only as a freight forwarder, agent of exporter, or agent of consignee, and not as buyer and seller of the wheat or flour shown on the documents submitted to evidence exportation.

(c) *Statements evidencing resale.* In connection with the sale of wheat or flour under the Wheat Agreement to a designated country which is resold for export to another designated country, there must be included with the voucher a statement from the buyer directing shipment to the second designated country if the contract or supporting evidence of sale does not provide for such shipment.

(d) *Export prior to sale.* In the event of export prior to sale such additional documents as required by § 481.638 (f) must also accompany the voucher.

§ 481.663 *Submission of voucher for payment.* Vouchers and required supporting documents should be submitted to the office listed below which services the State in which the exporter's invoicing office is located.

OFFICE

Director, Commodity Stabilization Service Office, U. S. Department of Agriculture, 623 South Wabash Avenue, Chicago 5, Ill.. Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia.

Director, Commodity Stabilization Service Office, U. S. Department of Agriculture, 3306 Main Street, Dallas 26, Tex.. Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas.

Director, Commodity Stabilization Service Office, U. S. Department of Agriculture, Fidelity Building, 911 Walnut Street, Kansas City 6, Mo.. Colorado, Kansas, Missouri, Nebraska, Wyoming.

Director, Commodity Stabilization Service Office, U. S. Department of Agriculture, 1006 West Lake Street, Minneapolis 8, Minn.. Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

Director, Commodity Stabilization Service Office, U. S. Department of Agriculture, 515 Southwest Tenth Avenue, Portland 5, Oreg.. Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

OBLIGATION AND DEFAULT

§ 481.665 *Exporter's agreement with CCC.* The Notice of Sale by the exporter and CCC's Confirmation of Eligibility shall constitute an agreement by the exporter to export the quantity of wheat or flour within the prescribed period stated in the Notice of Sale and in accordance with this subpart in consideration of the undertaking of CCC to make an export payment.

§ 481.666 *Cancellation of sale or failure to export.* (a) The exporter shall notify the Director promptly in every case where, after giving Notice of Sale as required in § 481.655, a sale is canceled by the exporter or by the importer, and he must state the reason for such cancellation. The exporter also shall notify the Director promptly when, for any reason, it becomes apparent to him that he will not be able to fulfill his obligation under this subpart by making shipment within the prescribed period.

(b) If the Vice President, after affording an exporter the opportunity to present evidence, determines that such exporter due to the cancellation of a sale or failure to export or for other reasons has failed to discharge fully any obligation assumed by him under this subpart such exporter may be denied the right to continue participating in this or any subsequent program for such period as the Vice President may determine or until the exporter has complied with such terms as the Vice President may prescribe. Such terms, among other things, may

(1) Require the refund of payments previously made to the exporter in an amount equivalent to twenty (20) percent of the payment applicable to the quantity of wheat or flour with respect to which the exporter has failed to fulfill his obligation, or

(2) Require the making of future shipments not in excess of such quantity at a payment rate which is reduced by an amount equivalent to twenty (20) percent of the payment rate applicable to such quantity, or

(3) Require a combination of subparagraphs (1) and (2) of this paragraph.

MISCELLANEOUS PROVISIONS

§ 481.670 *Records and accounts.* Each exporter shall maintain accurate records showing sales and deliveries of wheat or flour exported or to be exported in connection with this program. Such records, accounts, and other documents relating to any transaction in connection with this program shall be available during regular business hours for inspection and audit by authorized employees of the United States Department of Agriculture, and shall be preserved for two years after date of export.

§ 481.671 *Assignments.* No exporter shall, without the written consent of the Director, assign any right of the exporter under this subpart. The exporter may, however, name a joint payee on Voucher Form CSS-21.

§ 481.672 *Good faith.* If the Vice President after affording the exporter an opportunity to present evidence determines that such exporter has not acted in good faith in connection with any transaction under this subpart such exporter may be denied the right to continue participating in this program or the right to receive payment under this subpart in connection with any sales previously made under this program, or both. Such exporter may also be required to refund any payment received by him in connection with the transaction in which he is determined not to have acted in good faith. Any such action shall not affect any other right of the Commodity Credit Corporation or the government by way of the premises.

§ 481.673 *Amendment and termination.* This offer may be amended or terminated at any time by public announcement of such amendment or termination. Any such amendment or termination shall not be applicable to sales for export (which otherwise comply with the terms of this offer) made before the effective time and date of such amendment or termination.

§ 481.674 *Persons not eligible.* No member or delegate to Congress, or resident commissioner, shall be admitted to any benefit that may arise therefrom, but this provision shall not be construed to extend to a payment made to a corporation for its general benefit.

§ 481.675 *Submission of reports.* The Notice of Sale, Declaration of Sale, Notice of Export, and related reports required under this subpart to be submitted to the Director should be addressed as follows:

Chief, Wheat Agreement Branch, Grain Division, Commodity Stabilization Service (in telegrams: "CSS"), U. S. Department of Agriculture, Washington, D. C.

DEFINITIONS

§ 481.680 *Vice President.* "Vice President" means the Vice President of the Commodity Credit Corporation who is Deputy Administrator for Price Support, Commodity Stabilization Service.

§ 481.681 *Director.* "Director" means the Director of the Grain Division, Commodity Stabilization Service.

§ 481.682 *Wheat Agreement.* "Wheat Agreement" means the Agreement Revising and Renewing the International Wheat Agreement, ratified by the President of the United States on July 14, 1953.

§ 481.683 *Wheat Council.* "Wheat Council" means the International Wheat Council established by Article XIII of the Wheat Agreement.

§ 481.684 *Wheat.* "Wheat" means wheat grown in the United States and as defined in the Official Grain Standards of the United States. The quantity of wheat exported which is eligible for export payment shall be determined by

deducting from the total weight of the shipment, the weight of any dockage indicated on the inspection certificate issued at the time of loading for export.

§ 481.685 *Flour* "Flour" means flour processed in the United States from wheat as defined in § 481.684, including semolina and farina, but shall not include wheat products produced during a continuing process of manufacturing processed wheat products other than flour or flour mixes which are composed principally of wheat-flour. The quantity of flour exported which is eligible for export payment shall be determined by deducting from the net weight of the shipment, the weight of any enrichment, or other additive (including Creta Proaeperata) in excess of one-half of one percent of the combined net weight of the flour and additive.

§ 481.686 *Export.* Wheat or flour shall be deemed to have been "exported" when loaded on board an ocean carrier, or, if shipment to the designated country is wholly by truck or rail, when the shipment clears United States Customs.

§ 481.687 *Ocean carrier* "Ocean carrier" means the vessel on which final shipment from the United States or Canada, other than shipments between such countries, is intended to be made pursuant to a sale confirmed under this program.

§ 481.688 *United States.* "United States" means the continental United States except that as used in § 481.637, Reentry or Diversion, the term "United States" includes the Territories and possessions of the United States.

§ 481.689 *3:31 e. s. t.* "3:31 e. s. t." as used in this subpart means 3:31 eastern standard time, except that when Washington, D. C., is on daylight saving time 3:31 e. s. t. means 3:31 eastern daylight saving time (2:31 eastern standard time)

Effective time and date. This offer shall be effective on June 27, 1955 at 3:31 p. m., e. s. t., however, sales may not be made for recording against the 1955–56 Wheat Agreement guaranteed quantity of any importing country until authorized in the daily export payment rate announcement. (See § 481.640)

Right to waive any requirement. The Executive Vice President, CCC, if he deems such action desirable in order to prevent undue hardship, may with respect to any transaction or transactions hereunder waive any requirement of this subpart, if such action will not impair the program. Any such waiver shall be in writing and shall contain a full statement of the reasons therefor.

NOTE: The record keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of June 1955.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 55–5197; Filed, June 27, 1955; 3:25 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF COMMERCE

Effective upon publication in the FEDERAL REGISTER, paragraph (h) of § 6.101 is amended as set forth below.

§ 6.101 *Entire executive civil service.* * * *

(h) Any position in a foreign country, or beyond the continental limits of the United States, when in the opinion of the Commission, appointment through competitive examination is impracticable, except as provided in paragraphs (i) and (j) of this section and except: Positions in Hawaii, Puerto Rico and the Virgin Islands; in the Immigration and Naturalization Service, all positions in Canada and Mexico, and continuing positions at GS–7 and above in Cuba; positions in the Bureau of Customs, Treasury Department, in foreign countries; General Accounting Office positions in foreign countries; positions in the International Field Offices of the Civil Aeronautics Administration, Department of Commerce.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 18 F. R. 1823, 3 CFR, 1953 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 55–5169; Filed, June 28, 1955; 8:49 a. m.

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF DEFENSE; DEPARTMENT OF AGRICULTURE

Effective upon publication in the FEDERAL REGISTER, paragraph (b) (1) of § 6.304 is revoked, and paragraph (b) (1) of § 6.111 is amended as set out below.

§ 6.111 *Department of Agriculture.* * * *

(b) *Office of the Secretary.* (1) Special Livestock Loans Committeemen employed for not more than 180 working days a year, to approve and direct the servicing of emergency livestock loans.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 18 F. R. 1823, 3 CFR, 1953 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 55–5170; Filed, June 28, 1955; 8:49 a. m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Effective upon publication in the FEDERAL REGISTER, paragraph (i) (1) of §6.123 and paragraph (a) (7) of § 6.323 are amended as set out below.

§ 6.123 *Department of Health, Education and Welfare.* * * *

(i) *Office of Education.* (1) Fifteen professional positions in the field of education required in connection with the 1955 White House Conference on Education. Employment under this authority shall not extend beyond June 30, 1956.

§ 6.323 *Department of Health, Education, and Welfare*—(a) *Office of the Secretary.* * * *

(7) One Executive Secretary.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 18 F. R. 1823, 3 CFR, 1953 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 55–5171; Filed, June 28, 1955; 8:49 a. m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

TREASURY DEPARTMENT; DEPARTMENT OF THE INTERIOR

Effective upon publication in the FEDERAL REGISTER, paragraphs (a) (9) of § 6.303 and (g) (2), (k) (3), and (l) (9) of § 6.310 are revoked.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 18 F. R. 1823, 3 CFR, 1953 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 55–5172; Filed, June 28, 1955; 8:50 a. m.]

PART 37—GROUP LIFE INSURANCE

EFFECTIVE DATES OF COVERAGE

Effective July 1, 1955, paragraph (e) (1) and (2) is added to § 37.3 as set out below.

§ 37.3 *Effective dates of insurance coverage.* * * *

(e) (1) Notwithstanding the provisions of § 37.6 an employee who filed a Waiver of Life Insurance Coverage before January 1, 1955, may revoke such waiver by filing with his employing office prior to September 1, 1955, a written notice of revocation.

(2) Such revocation shall become effective and the employee shall be insured on his first day in a pay status in a position wherein he is not excluded from insurance by law or regulation, following the day of receipt of his notice of revocation by his employing office.

(Sec. 11, Pub. Law 598, 83d Cong., 68 Stat. 742)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 55–5174; Filed, June 28, 1955; 8:50 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

[1023—Allotment—(Burley and Flue-56)-1]

PART 725—BURLEY AND FLUE-CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1956–57 MARKETING YEAR

GENERAL

AUTHORITY: §§ 725.711 to 725.728 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 313, 315, 363, 52 Stat. 38, 47, 63, as amended, 66 Stat. 597, 69 Stat. 24; 7 U. S. C. 1301, 1313, 1315, 1363.

GENERAL

§ 725.711 *Basis and purpose.* (a) The regulations contained in §§ 725.711 to 725.728 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of 1956 farm acreage allotments and normal yields for Burley and flue-cured tobacco. The purpose of the regulations in §§ 725.711 to 725.728 is to provide the procedure for allocating, on an acreage basis, the national marketing quota for Burley and flue-cured tobacco for the 1956–57 marketing year among farms and for determining normal yields. Prior to preparing the regulations in §§ 725.711 to 725.728, public notice (20 F. R. 3800) was given in accordance with the Administrative Procedure Act (5 U. S. C. 1003) The data, views, and recommendations pertaining to the regulations in §§ 725.711 to 725.728, which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

(b) In order that State and county committees may prepare and mail notices of farm acreage allotments as early as possible prior to the referendum for flue-cured tobacco which shall be held July 23, 1955, it is essential that the regulations in §§ 725.711 to 725.728 be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date provisions of the Administrative Procedure Act is impracticable and contrary to the public interest, and such regulations shall be effective upon filing of this document with the Director, Division of the FEDERAL REGISTER.

§ 725.712 *Definitions.* As used in §§ 725.711 to 725.728, and in all instructions, forms, and documents in connection therewith the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) Committees:

(1) "Community committee" means the persons elected within a community as the community committee pursuant to regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees.

(2) "County committee" means the persons elected within a county as the county committee pursuant to regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees.

(3) "State committee" means the group of persons within any State designated by the Secretary of Agriculture to act as the Agricultural Stabilization and Conservation State committee.

(b) "County office manager" means the person employed by the county committee to execute the policies of the county committee and be responsible for the day-to-day operations of the ASC county office, or the person acting in such capacity.

(c) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm is located.

(d) "New farm" means a farm on which tobacco will be produced in 1956 for the first time since 1950.

(e) "Old farm" means a farm on which tobacco was produced in one or more of the five years 1951 through 1955.

(f) "Cropland" means farm land which in 1955 was tilled or was in regular crop-rotation, excluding (1) bearing orchards and vineyards (except the acreage of cropland therein) (2) plowable noncrop open pasture, and (3) any land which constitutes or will constitute, if tillage is continued, a wind erosion hazard to the community.

(g) "Community cropland factor" means that percentage determined by dividing the total cropland for all old farms in the community in 1955 into the total of the 1955 tobacco acreage allotment for such old farms: *Provided,* That (1) if it is determined that the cropland factors for all communities in the county are substantially the same, the county committee, with the approval of the State committee, may consider the entire county as one community, and (2) if there is only one farm in the county on which tobacco is grown, the community cropland factor of the nearest community in which tobacco is grown shall be used in determining the acreage indicated by cropland.

(h) "Acreage indicated by cropland" means that acreage determined by multiplying the number of acres of cropland in the farm by the community cropland factor.

(i) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(j) "Person" means an individual, partnership, association, corporation, estate or trust or other business enterprise or other legal entity, and whenever applicable, a State, a political subdivision of a State, or any agency thereof.

(k) "Producer" means a person who, as owner, landlord, tenant, share-cropper, or laborer is entitled to share in the tobacco available for marketing from the farm or in the proceeds thereof.

(l) "State administrative officer" means the person employed by the State committee to execute the policies of the State committee and be responsible for the day-to-day operations of the ASC State office, or the person acting in such capacity.

(m) "Tobacco" means:

(1) Burley tobacco type 31, or flue-cured tobacco types 11, 12, 13, and 14, as classified in Service and Regulatory Announcement No. 118 (Part 30 of this title) of the Bureau of Agricultural Economics of the United States Department of Agriculture, or both, as indicated by the context.

(2) Any tobacco that has the same characteristics, and corresponding qualities, colors, and lengths as either Burley or flue-cured tobacco shall be considered respectively either Burley or flue-cured tobacco regardless of any factors of historical or geographical nature which cannot be determined by examination of the tobacco.

§ 725.713 *Extent of calculations and rule of fractions.* All acreage allotments shall be rounded to the nearest one hundredth acre. The rule of fractions will be to round upward fractions of more

than five-thousands and to round downward fractions of five-thousands or less (i. e., 0.0050 would be 0.00, and 0.0051 would be 0.01)

§ 725.714 *Instructions and forms.* The Director, Tobacco Division, Commodity Stabilization Service, shall cause to be prepared and issued such forms as are necessary, and shall cause to be prepared such instructions with respect to internal management as are necessary for carrying out the regulations in this part. The forms and instructions shall be approved by, and the instructions shall be issued by, the Deputy Administrator for Production Adjustment of the Commodity Stabilization Service.

§ 725.715 *Applicability of §§ 725.711 to 725.728.* Sections 725.711 to 725.728 shall govern the establishment of farm acreage allotments and normal yields for tobacco in connection with farm marketing quotas for the marketing year beginning October 1, 1956, in the case of Burley tobacco, and July 1, 1956, in the case of flue-cured tobacco. The applicability of §§ 725.711 to 725.728 is contingent upon the proclamation of national marketing quotas for tobacco by the Secretary of Agriculture and approval thereof by growers voting in referenda pursuant to section 312 of the Agricultural Adjustment Act of 1938, as amended.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 725.716 *Determination of 1956 preliminary acreage allotments for old farms.* The 1956 preliminary acreage allotment for an old farm shall be the 1955 farm acreage allotment with the following exceptions:

(a) If the acreage of tobacco harvested on the farm in each of the three years 1953–55 was less than 75 percent of the farm acreage allotment for each of such years, the preliminary allotment shall be the larger of (1) the largest acreage of tobacco harvested on the farm in any one of such three years, or (2) the average acreage of tobacco harvested on the farm in the five years 1951–55. *Provided,* That any such preliminary allotment shall not exceed the 1955 allotment for such farm or be less than 0.01 acre.

(b) If no 1955 allotment was established for the farm on which tobacco was grown in 1955 for the first time since 1950, the 1956 preliminary allotment shall be that acreage which the county committee determines (with the approval of the State committee) is fair and reasonable for the farm taking into consideration the land, labor, and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco: *Provided,* That such preliminary allotment shall not exceed 20 percent of the acreage indicated by cropland, or be less than one-hundredth (.01) of an acre.

§ 725.717 *1956 old farm tobacco acreage allotment.* The preliminary allotments calculated for all old farms in the State pursuant to § 725.716 shall be adjusted uniformly so that the total of such allotments for old farms plus the acreage available for adjusting acreage allotments for old farms pursuant to § 725.718 shall not exceed the State acreage allotment: *Provided,* That in the case of Burley tobacco, the farm acreage allotment shall not be less than the smallest of (a) the 1955 allotment, (b) fifty-hundredths of an acre, or (c) 10 percent of the cropland in the farm: *Provided,* That no 1955 allotment of seventy-hundredths of an acre or less shall be reduced more than one-tenth of an acre.

§ 725.718 *Adjustment of acreage allotments for old farms.* Notwithstanding the limitations contained in § 725.716, the farm acreage allotment for an old farm may be increased if the community and county committees (with the approval of the State committee) find that such increase is necessary to establish an allotment for such farm which is fair and equitable in relation to the allotments for other old farms in the community, on the basis of the past acreage of tobacco, making due allowances for drought, flood, hail, other abnormal weather conditions, plant bed, and other diseases; land, labor and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco. The acreage available for increasing allotments under this section shall not exceed one-tenth of one percent of the total acreage allotted to all tobacco farms in the State for the 1955–56 marketing year.

§ 725.719 *Reduction of acreage allotment for violation of the marketing quota regulations for a prior marketing year* (a) If tobacco was marketed or was permitted to be marketed in any marketing year as having been produced on the acreage allotment for any farm which in fact was produced on a different farm, the acreage allotments established for both such farms for 1956 shall be reduced, as provided in this section, except that such reduction for any such farm shall not be made if the county committee determines that no person connected with such farm caused, aided, or acquiesced in such marketing.

(b) The operator of the farm shall furnish complete and accurate proof of the disposition of all tobacco produced on the farm at such time and in such manner as will insure payment of the penalty due at the time the tobacco is marketed and, in the event of failure for any reason to furnish such proof, the acreage allotment for the farm shall be reduced, except that if the farm operator establishes to the satisfaction of the county and State committees that failure to furnish such proof of disposition was unintentional on his part and that he could not reasonably have been expected to furnish accurate proof of disposition, reduction of the allotment will not be required if the failure to furnish proof of disposition is corrected and payment of all additional penalty is made.

(c) If any producer files, or aids or acquiesces in the filing of, any false report with respect to the acreage of tobacco grown on the farm in 1955, the acreage allotment for the farm shall be reduced, as provided in this section, except that if each producer on the farm establishes to the satisfaction of the county and State committees that the filing of, or aiding or acquiescing in the filing of, the false report was unintentional on his part and that he could not reasonably have been expected to know that the report was false, reduction of the allotment will not be required if the report is corrected and payment of all additional penalty is made.

(d) Any such reduction shall be made with respect to the 1956 farm acreage allotment, provided it can be made at least 30 days prior to the beginning of the normal planting season for the county in which the farm is located as determined by the State committee. If the reduction cannot be so made effective with respect to the 1956 allotment such reduction shall be made with respect to the farm acreage allotment next established for the farm where the reduction can be made within the appropriate 30-day period. This section shall not apply if the allotment for any prior year was reduced on account of the same violation.

(e) The amount of reduction in the 1956 allotment shall be that percentage which the amount of tobacco involved in the violation is of the respective farm marketing quota for the farm for the year in which the violation occurred. Where the amount of such tobacco involved in the violation equals or exceeds the amount of the farm marketing quota the amount of reduction shall be 100 percent. The amount of tobacco determined by the county committee to have been falsely identified, or for which satisfactory proof of disposition has not been furnished, or with respect to which a false acreage report was filed, shall be considered the amount of tobacco involved in the violation. If the actual production of tobacco on the farm is not known, the county committee shall estimate such actual production, taking into consideration the condition of the tobacco crop during production, if known, and the actual yield per acre of tobacco on other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar: *Provided,* That the estimate of such actual production of tobacco on the farm shall not exceed the harvested acreage of tobacco on the farm multiplied by the average actual yield on farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar. The actual yield of tobacco on the farm as so estimated by the county committee multiplied by the farm acreage allotment shall be considered the farm marketing quota for the purpose of this section. In determining the amount of tobacco for which satisfactory proof of disposition has not been shown or with respect to which a false acreage report was filed in case the actual production of tobacco on the farm is not known, the amount of tobacco involved in the violation shall be deemed to be the actual production of tobacco on the farm, estimated as above, less the amount of tobacco for which satisfactory proof of disposition has been shown.

(f) If the farm involved in the violation is combined with another farm prior to the reduction, the reduction shall be applied to that portion of the allotment for which a reduction is required under paragraph (a) (b) or (c) of this section.

(g) If the farm involved in the violation has been divided prior to the reduction, the reduction shall be applied to the allotments for the divided farms as required under paragraph (a) (b) or (c) of this section.

§ 725.720 *Reallocation of allotments released from farms removed from agricultural production.* (a) The allotment determined or which would have been determined for any land which is removed from agricultural production for any purpose because of acquisition by any Federal, State, or other agency having a right of eminent domain shall be placed in a State pool and shall be available to the State committee for use in providing equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farms by such agencies. Upon application to the county committee, within five years from the date of such acquisition of the farm, any owner so displaced shall be entitled to have an allotment for any other farm owned or purchased by him equal to an allotment which would have been determined for such other farm plus the allotment which would have been determined for the farm so acquired: *Provided,* That such allotment shall not exceed 20 percent of the acreage of cropland on the farm in the case of Burley tobacco and 50 percent of the acreage of cropland on the farm in the case of flue-cured tobacco.

(b) The provisions of this section shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of tobacco from the farm or by the owner of the farm at the time of its acquisition by the Federal, State, or other agency; (2) any tobacco produced on such farm has not been accounted for as required by the Secretary; or (3) the allotment next to be established for the farm acquired by the Federal, State, or other agency would have been reduced because of false or improper identification of tobacco produced on or marketed from such farm or due to a false acreage report.

§ 725.721 *Farms divided or combined.* (a) If land operated as a single farm in 1955 will be operated in 1956 as two or more farms, the 1956 tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion as the acreage of cropland available for the production of tobacco in each such tract in such year bore to the total number of acres of cropland available for the production of tobacco on the entire farm in such year, except that the tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall, if the farm to be divided for 1956 consists of two or more tracts which were separate and distinct farms before being combined within the past five years (1951–55), be apportioned among the tracts in the same proportion that each contributed to the farm acreage allotment: *Provided,* That with the recommendation of the county committee and approval of the State committee and with the written agreement of all interested persons, the tobacco acreage allotment determined for a tract under the provisions of this paragraph may be increased or decreased by not more than the larger of one-hundredth of an acre or 10 percent of the 1956 acreage allotment determined for the entire farm with corresponding increases or decreases made in the acreage allotment apportioned to the other tract or tracts.

(b) If two or more farms operated separately in 1955 are combined and operated in 1956 as a single farm, the 1956 allotment shall be the sum of the 1956 allotments determined for each of the farms comprising the combination or, in the case of Burley tobacco, if smaller, the allotment determined or which would have been determined for the farm as constituted in 1956.

(c) If a farm is to be divided in 1956 in settling an estate, the allotment may be divided among the various tracts in accordance with paragraph (a) of this section or on such other basis as the State committee determines will result in equitable allotments.

§ 725.722 *Determination of normal yields.* The normal yield for any old farm shall be that yield which the county committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the five years 1950–54, (b) the soil and other physical factors affecting the production of tobacco on the farm, and (c) the yields obtained on other farms in the locality which are similar with respect to such factors.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

§ 725.723 *Determination of acreage allotments for new farms.* (a) The acreage allotment, other than an allotment made under § 725.720, for a new farm shall be that acreage which the county committee (with the approval of the State committee) determines is fair and reasonable for the farm taking into consideration the past tobacco experience of the farm operator; the land, labor, and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco: *Provided,* That the acreage allotment so determined shall not exceed 50 percent of the allotments for old tobacco farms which are similar with respect to land, labor, and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco.

(b) Notwithstanding any other provisions of this section a tobacco acreage allotment shall not be established for any new farm unless each of the following conditions has been met:

(1) The farm operator shall have had experience in growing the kind of tobacco for which an allotment is requested either as a share cropper, tenant, or as a farm operator during two of the past five years: *Provided,* That a farm operator who was in the armed services after September 16, 1940, shall be deemed to have met the requirements of this subparagraph if he has had such experience during one year either within the five years immediately prior to his entry into the armed services or within the five years immediately following his discharge from the armed services and if he files an application for an allotment within five crop years from date of discharge.

(2) The farm operator shall live on and obtain 50 percent or more of his livelihood from the farm covered by the application.

(3) The farm covered by the application shall be the only farm owned or operated by the farm operator for which a Burley or flue-cured tobacco allotment is established for the 1956–57 marketing year.

(c) The farm shall be operated by the owner thereof.

(d) The farm or any portion thereof shall not have been a part of another farm during the years 1951–55 for which an old farm tobacco acreage allotment was determined.

(e) The acreage allotments established as provided in this section shall be subject to such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new farms. One-fourth of one percent of the 1956 national marketing quota shall, when converted to an acreage allotment by the use of the national average yield, be available for establishing allotments for new farms. The national average yield shall be the average of the several State yields used in converting the State marketing quotas into State acreage allotments.

§ 725.724 *Time for filing application.* An application for a new farm allotment shall be filed with the ASC county office prior to February 1, 1956, unless the farm operator was discharged from the armed services subsequent to December 31, 1955, in which case such application shall be filed within a reasonable period prior to planting tobacco on the farm.

§ 725.725 *Determination of normal yields.* The normal yield for a new farm shall be that yield per acre which the county committee determines is normal for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

MISCELLANEOUS

§ 725.726 *Determination of acreage allotments and normal yield for farms returned to agricultural production.* (a) Notwithstanding the foregoing provisions of §§ 725.711 to 725.725, the acreage allotment for any farm which was acquired by any Federal, State, or other agency having the right of eminent domain, for any purpose and which is returned to agricultural production in 1956, or which was returned to agricultural production in 1955 too late for the 1955 allotment to be established, shall be determined by one of the following methods:

(1) If the land is acquired by the original owner, any part of the acreage allotment which was or could have been established for such farm prior to its retirement from agricultural production which remains in the State pool (adjusted to reflect the uniform increases and decreases in comparable old farm allotments since the farm was acquired) may be established as the 1956 allotment for such farm by transfer from the pool, and if any part of the allotment for such land was transferred by the original owner through the State pool to another farm now owned by him, such owner may elect to transfer all or any part of such allotment (as adjusted) to the farm which is returned to agricultural production.

(2) If the land is acquired by a person other than the original owner, or if all of the allotment was transferred through the State pools to another farm and the original owner does not now own the farm to which the allotment was transferred, the farm returned to agricultural production shall be regarded as a new farm.

(b) The normal yield for any such farm shall be that yield per acre which the county committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

§ 725.727 *Approval of determinations made under §§ 725.711 to 725.726.* All allotments and yields shall be reviewed by or on behalf of the State committee, and the State committee may revise or require revision of any determinations made under §§ 725.711 to 725.726. All acreage allotments and yields shall be approved by or on behalf of the State committee and no official notice of acreage allotment shall be mailed to a grower until such allotment has been approved by or on behalf of the State committee.

§ 725.728 *Application for review.* Any producer who is dissatisfied with the farm acreage allotment and marketing quota established for his farm, may, within fifteen days after mailing of the official notice of the farm acreage allotment and marketing quota, file application with the ASC county office to have such allotment reviewed by a review committee. This procedure governing the review of farm acreage allotments and marketing quotas is contained in the regulations issued by the Secretary (Part 711 of this chapter) which are available at the ASC county office.

NOTE: The record keeping and reporting requirements of these regulations have been approved by and subsequent reporting requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Done at Washington, D. C., this 23d day of June 1955. Witness my hand and seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-5194; Filed, June 28, 1955; 8:55 a. m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter G—Determination of Proportionate Shares

[Sugar Determination 856.2]

PART 856—HAWAII

1955 AND SUBSEQUENT CROPS

Pursuant to the provisions of section 302 of the Sugar Act of 1948, as amended (herein referred to as "act") the following determination is hereby issued.

§ 856.2 *Proportionate shares for sugarcane farms in Hawaii for the 1955 and subsequent crops*—(a) *Definitions.* For the purpose of this section the terms:

(1) "Processor-producer" means a producer who is a processor as defined in the determination of processor-producer (7 CFR Part 821) to whom the provisions of section 301 (c) (2) of the act are applicable.

(2) "Small producer" means any producer who qualifies as an independent grower for Sugar Act payment purposes and whose farm is located in the mill area of a specific processor-producer.

(3) "Area Director" means the Director of the Agricultural Stabilization and Conservation Hawaiian Area Office.

(b) *Proportionate share for any farm except the farm of a processor-producer* The proportionate share for the 1955 and each subsequent crop for any farm except the farm of a processor-producer, shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown thereon and marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the applicable calendar year.

(c) *Proportionate share for the farm of a processor-producer* The proportionate share for the 1955 and each subsequent crop for the farm of a processor-producer, shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown thereon and marketed (or processed by the processor-producer) for the extraction of sugar or liquid sugar during the applicable calendar year, subject to conditions for protecting the interests of small producers as follows:

(1) The total acres used for the production of sugarcane on the farm of the processor-producer at the end of the applicable calendar year shall not bear a higher percentage relationship to the total acres used by small producers for the production of sugarcane at the end of such year than that which existed at the beginning of such year, and with respect to the total acreage pertaining to small producers in such relationship, the processor-producer will receive, or be prepared to receive, sugarcane in accordance with those provisions of his sugarcane purchase contract for the 1955 crop which relate to the timing of the physical delivery of sugarcane grown by such small producers;

(2) The total number of farms of small producers at the end of the applicable calendar year shall not be less than the number of such farms at the beginning of such year;

Provided, That with respect to the above conditions relating to the percentage relationship of acreage and the number of small farms in subparagraphs (1) and (2) of this paragraph, adjustment in such percentage relationship and number of farms shall be made to take into account; (i) the changed status of adherent planters who become small producers after December 31, 1954; (ii) any minor and non-recurring acreage variation approved by the Area Director although such variation shall not be recognized with respect to the acreage bases for subsequent years; and (iii) any reduction in the acreage of small producers, or any deficiency in total acreage of small producers resulting from the failure of small producers to expand acreage, any case in which the small producer fails to cultivate his land in accordance with the minimum standards as set forth in the independent grower agreements for the 1955 crop, and any reduction in the number of farms of small producers, any or all of which are beyond the control of the processor-producer as determined by the Area Director and in making such determination the Area Director shall give consideration to whether a replacement grower is available. Each case will be considered by the Area Director and a decision issued at the earliest practicable date. The processor-producer shall within 30 days after notice thereof is mailed to him comply with any decision of the Area Director issued pursuant to this paragraph unless an appeal is taken pursuant to paragraph (e) of this section.

(d) *Share tenant, share cropper and adherent planter protection.* To protect the interests of share tenants, share croppers and adherent planters, and notwithstanding the establishment of a proportionate share for any farm under paragraphs (b) and (c) of this section, eligibility for payment of any producer of sugarcane shall be subject to the following conditions:

(1) The total number of adherent planters on such sugarcane farm for the applicable calendar year shall not be reduced below the number on such farm at the end of the previous calendar year unless such reduction is approved by the Area Director. In making such determination, the Area Director shall be guided by whether the reduction was the result of a voluntary action of the adherent planter, or whether the reduction was beyond the control of the producer, and whether a replacement planter is available. Each case will be considered by the Area Director and a decision issued at the earliest practicable date. Compliance with any decision of the Area Director issued pursuant to this paragraph shall be effected within 30 days after notice of such decision is mailed unless an appeal is taken pursuant to paragraph (e) of this section; and

(2) That such producer shall not have entered into any leasing or cropping agreement for the purpose of diverting to himself or other producer any payment to which share tenants, share croppers, or adherent planters would be entitled if their leasing or cropping agreements for the previous crop year were in effect.

(e) *Appeals.* Any producer who is affected by a decision of the Area Director made in accordance with this section and who believes such decision is inequitable may, within 30 days after notice of such decision is mailed to him, submit an appeal in writing to the Director of the Sugar Division, Commodity Stabilization Service, U. S. Department of Agriculture, Washington 25, D. C., and his decision shall be final. Such producer shall within 30 days from the date notice thereof is mailed to him comply with the decision of the Director issued pursuant to this paragraph.

(f) *Effective period.* The provisions of this section shall supersede § 856.1, the "Determination of Proportionate Shares for Sugarcane Farms in Hawaii for the 1954 and Subsequent Crops" (19 F. R. 4399) shall be effective for the 1955 crop and subsequent crops, and shall remain in effect until amended, superseded or terminated.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *Requirements of act.* As a condition for payment, section 301 (b) of the act requires that there shall not have been marketed (or processed) for the production of sugar, sugarcane in excess of the proportionate share established for the farm. Such proportionate share shall be the farm's share of the quantity of sugarcane required to be processed to enable the area to meet its sugar quota (and provide a normal carryover inventory) as estimated by the Secretary for the calendar year during which the larger part of the sugar from such crop normally would be marketed. Section 302 (a) of the act provides that the amount of sugar with respect to which payment may be made shall be the amount of sugar, raw value, commercially recoverable from the sugarcane grown on a farm and marketed (or processed) for sugar or liquid sugar not in excess of the proportionate share established for the farm. Section 302 (b) provides that in determining the proportionate share for a farm the Secretary may take into consideration the past production on the farm of sugarcane marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugarcane, and that the Secretary shall, insofar as practicable, protect the interests of new producers and small producers, and the interests of producers who are cash tenants, adherent planters, or share croppers.

(b) *General situation.* Although the above requirements have been in effect since the enactment of the Sugar Act of 1937, restrictive proportionate shares have not been imposed on any crop in Hawaii. For the 1952, 1953 and 1954 crops, the production of sugar was 93.0, 100.2 and 100 percent, respectively, of the sum of the mainland and local quotas. The carryover of sugar on January 1, 1955, was less than 5,000 tons. Production has been kept in line with marketing quotas and carryover requirements by the industry. Approximately 90 percent of the total production of sugar in Hawaii is extracted from sugarcane grown by 28 companies and is processed into sugar by mills operated by the companies while the remainder comes from sugarcane grown by approximately 1,700 small independent growers and adherent planters and sold to processing companies. Although it may not be necessary to impose definitive restrictive proportionate shares in Hawaii to prevent the accumulation of excessive inventories, it may become necessary for individual companies to limit production within their mill areas.

During the course of adjustment in sugarcane production by the companies in those mill areas where only a portion of the sugarcane is produced by the company and the balance is purchased under contracts with small producers who are independent growers, there is need to protect the interests of such small producers insofar as is practicable. Because of transportation costs and other economic limitations, a small producer is restricted for all practical purposes to contracting for the sale of his cane to one mill. Inability of a small producer to obtain a contract would mean not only the loss of a marketing outlet for his sugarcane, but also inability to qualify for payment under the Sugar Act.

Under the foregoing circumstances, where an adjustment in production is undertaken by a processor-producer, the small producer's interests must be protected in order that he will not bear a disproportionate reduction in sugarcane acreage. To protect the interests of such producers, this determination establishes proportionate shares subject to practicable conditions for maintaining an equitable production relationship between the farm of the processor-producer and the farms of small producers in the mill area.

(c) *Determination for 1955 and subsequent crops.* This determination establishes a proportionate share for any farm at the actual level of production, except that the establishment of the proportionate share for the farm of a processor-producer is subject to conditions designed to maintain the pro rata relationship in the acreage used for the production of sugarcane (in Hawaii commonly referred to as acreage under cultivation to sugarcane) between the processor-producer and the small producers in the event of an adjustment in production. In the event a reduction of acreage is necessary in a mill area, the processor-producer is required to reduce the area used for the production of sugarcane on his farm in ratio to the total of reductions on the farms of small producers with whom he contracts, and in maintaining this ratio to accept or be prepared to accept physical delivery of sugarcane from the farms of such producers in accordance with present practice. Currently, processor-producers accept the cane of producers at the time it is matured and ready for harvest, giving due consideration, however, to the maturity of the cane of other producers and of the processor-producer and, provided that access to the producers' fields is available and that the processor-producer's mill is not closed down because of strike, acts of God, and other causes or casualties beyond the processor-producer's control. The harvesting schedule clause, milling responsibility clause, right-of-way clause, and any other clause of the processor-producer's 1955 Sugarcane Purchase Contract pertaining to the timing of sugarcane delivery shall be regarded as indicative of current practice. In addition, the processor-producer is required to maintain the number of farms of small producers at the present level.

With respect to the conditions set forth in the determination, cases may arise which are beyond the control of the processor-producer. In such cases, the Area Director is authorized to modify the proportional and numerical limitations. Each case will be considered on the basis of the circumstances involved. Since one of the purposes of this determination is to protect the interests of small producers, it is contemplated that the operations of the processor-producer will be conducted in a manner to maintain the production relationship between the farm of the processor-producer and the farms of small producers. It is recognized that changing methods of production may make the continued operation of certain land uneconomic. It is not the intent of the determination to require discontinuance of suitable acreage operated by the processor-producer whenever marginal land is abandoned by a small producer, nor when a small producer fails to cultivate his land in accordance with minimum standards set forth in the 1955-crop independent grower agreements. Similarly, such reduction is not anticipated in cases where a small producer loses control of the land he operates for reasons which are unrelated to the processor-producer. However, it is contemplated that the rights of small producers will be recognized in cases where they are able to obtain suitable land in lieu of land previously operated. If a small producer is in the position of losing control of land subleased from a processor-producer because such lands are no longer leased to such processor-producer, it is expected that the processor-producer will not act to prejudice the interests of such sub-lessee in acquiring a direct lease. In all cases, it is expected that the processor-producer will accept replacement producers with suitable land, if available, so as to minimize changes in proportional and numerical relationships. In the event an adverse decision with respect to any case is rendered, provision has been made that the processor-producer shall have 30 days to conform to any such decision.

The provisions relating to the protection of share tenants, share croppers and adherent planters are essentially the same the those which have been effective for recent crops.

Accordingly, I hereby find and conclude that the foregoing determination will effectuate the purposes of section 302 of the act.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 302, 61 Stat. 930; 7 U. S. C. 1132)

Issued this 23d day of June 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-5195; Filed, June 23, 1955; 8:55 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 148]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required

Part 609 is amended as follows:

NOTE: Where the general classification (LFR VAR ADF ILS GCA or VOR), location and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one as of the effective date given to the extent that it differs from the existing procedure; where a procedure is canceled, the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended

1 The low frequency range procedures prescribed in § 609 6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL Ceilings are in feet above airport elevation.
If an LFR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility; class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums: Condition	Type aircraft: 75 m.p.h. or less	Type aircraft: More than 75 m.p.h.	If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
1	2	3	4	5	6	7	8	9	10	11
CHARLOTTE N C Douglas 748', SBMRLZ-DTV CLT Procedure No. 1 Amendment 8. Effective: July 23, 1955. Supersedes Amendment 7 Apr 19, 1954 Major changes: New format	Catawba Intersection	358—25	2,100	E side of S course: 178° outbound. 358 inbound. 2 100′ within 10 miles	1 600	359—1.7	2 engines or less			Within 1 7 mile climb climb to 2,500 on N course within 25 miles or when directed by ATC, turn right, climb to 2 200′ on E course within 25 miles. 1,116′ mean sea level tower located 4 miles SE of LFR; station and 213 miles E of S course
	Fort Mill FM (final)	358—9 0	1,600				T-dn	300-1	300-1	
	Charlotte VOR	007—13 0	2 100				C-dn	400-1	500-1	
							More than 2 engines			
							T-dn		200-½	
							C-dn		500-1½	
							All aircraft			
							A-dn	800-2		
DALLAS, TEX Love, 485 . SBMRAZ-DTV DAL. Procedure No. 1 Amendment 13. Effective: July 23, 1955. Supersedes Amendment 12 dated June 4, 1954. Major changes: Raise procedure turn altitude	Dallas VOR	230—12	2,000	E side of S course: 176° outbound. 356 inbound. 2 600′ within 10 miles	#1 100	356—2.3	2 engines or less			Within 2 3 miles climb to 2 000 on N course within 25 miles. #If DAL FM not received descent below 1,400′ and straight in minima not authorized CAUTION: 695′ mean sea level tank 1 7 miles SE Runway 31. AIR CARRIER NOTE: Takeoff Runway 13 not authorized with ceilings less than 200′. Radar terminal area transition altitude: 2,000′ within 5 to 20 N miles. Radar control must provide 3 N miles or 1 000′ vertical separation *or* 3 to 5 N. miles and 500′ vertical separation from radio towers 1 103′ mean sea level—20 N. miles N.—2,349′ mean sea level 16 N. miles SSW—1,230′ mean sea level 10 N miles WNW—of airport
	Duncanville FM or MHW (final)	356—10	1 400				T-dn	300-1	300-1	
	Dallas FM (final)	356—3 0	1,100				C-dn	400-1	500-1	
							#S-dn 36	400-1	400-1	
							More than 2 engines			
							T-dn		200-½	
							C-dn		500-1½	
							#S-dn 36		400-1	
							All aircraft			
							A-dn	800-2		
FRESNO, CALIF. Fresno-Chandler 277 SBRAZ-DTV FNO Procedure No. 1. Effective: July 23, 1955. Amendment No. 4. Supersedes Amendment 3 dated June 14, 1954. Major changes: New format.	Bowles Intersection (Intersection of 012° bearing to FNO LOM and SE course FNO LFR) (final)	316—11.0	800	W side of SE course:* 136° outbound. 316° inbound. 1,500′ within 10 miles.	800	035—1.0	2 engines or less			Within 0 mile, climb to 2 000′ on W course within 20 miles. Procedure turn W side for more favorable terrain.
							T-dn	300-1	-- ----	
							C-dn	500-2	-- --	
							A-dn	800-2	--- -- -	

LFR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility; class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums: Condition	Type aircraft: 75 m. p. h or less	Type aircraft: More than 75 m p h	If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
1	2	3	4	5	6	7	8	9	10	11
LAKE CHARLES, LA. Lake Charles AFB, 19' SBRAZ-VDT LCH Restricted. Procedure No. 1. Amendment No M-6 dated May 5, 1954. Major changes: superseded by Special Procedure (not published)	PROCEDURE CANCELED JULY 5 1955 (THIS CANCELLATION DOES NOT AFFECT MILITARY PROCEDURES IN PILOT'S HANDBOOK)									
LUBBOCK, TEX Municipal, 3,256'. BMRLZ-DTV LBB Procedure No. 1 Amendment 9. Effective July 23, 1955. Supersedes Amendment 8, dated July 10 1954. Major changes: Raise initial approach altitudes Reduce landing visibilities	Lubbock VOR	230—8 0	4,500	S side of W course: 258° outbound. 078 inbound. 4,500' within 10 miles. Beyond 10 miles not authorized.	4,000	078—11.7	2 engines or less T-dn C-d C-n A-dn	300-1 700-1 700-1½ 800-2	300-1 700-1 700-1½ 800-2	Within 11.7 miles climb to 4,500' on E course (078°) within 25 miles. This procedure not approved for ADF approach
	Roundup FM.	173—8.0	4 500				More than 2 engines T-dn C-d C-n A-dn		200-½ 700 1½ 700-2 800-2	
PORTLAND, OREG. Portland International Airport 23'. SBRAZ-VDT PDX Procedure No. 1 Amendment No. 7. Effective: July 23, 1955. Supersedes Amendment 6 dated Dec. 31, 1953. Major changes: New format. Add Portland VOR; add Sauvies Radiobeacon; add Camas Intersection; add radar note; remove unnecessary alternate runway note; modify missed approach; minor course and distance corrections; add Hillsboro Intersection	Woodland FM	162—23.0	3,000	W side of N course: 332° outbound 162° inbound. 2,000' within 10 miles. Not authorized beyond 10 miles	1 600	160—3.3	2 engines or less T-dn C-d C-n A-dn	300-1 600-1 600-1 800-1	300-1 600-1 700 1 800-2	Within 3.3 miles, climb to 3,000' on S course, climbing to 2 300' within 10 miles of PDX LFR. **300-1 required on Runways 7-25, 11, 2-20 All fixes within 25 nautical miles of GCA station may be determined by surveillance radar
	LaCenter FM (final)	162—12.0	1, 600							
	Stevenson FM	244—32.0	6, 000							
	Washougal FM	244—17 0	4, 000							
	Camas Intersection.	244—8.0	2, 000							
	Portland VOR....	162—7.0	2, 000							
	Sauvies Radiobeacon. ..	079—10 0	2, 000							
	Hillsboro Intersection. ..	031—10.0	2, 000				More than 2 engines T-dn C-d C-n A-dn	(**) --	200-½ 600-1½ 700-1½ 800-2	
SANTA ANA, CALIF Orange County, 63' SMRLZ-NZJ Procedure No. 1. Effective: June 24, 1955 Amendment No. 4. Supersedes Amendment 3, dated June 18, 1955. Major changes: Range courses realined	Intersection SE course LGB LFR and SW course NZJ LFR	015—7 5	On top not below 2,000	N side of NW course: 035° outbound 195° inbound. 2,000' within 10 miles.	1, 600	215—3.7	2 engines or less T-dn C-dn A-dn	300-1 600-1 800-2	300-1 600-1 800 2	Within 3 7 miles, climb to on top on outbound track of 215° from NZJ. This procedure not authorized with tops above 2,000'. CAUTION: 207' water tank 1 mile WSW of airport and high terrain 4 miles SE of airport
	Intersection NE course LGB LFR and NW course NZJ LFR	105—13.5	On top not below 2,000				More than 2 engines T-dn C-dn A-dn		300-1 600-1½ 800-2	

LFR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility: class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
							Condition	Type aircraft: 75 m. p. h or less	Type aircraft: More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
SANTA BARBARA CALIF Municipal 14'. SBMRLZ-DTV SBA Procedure No. 1 Effective: July 23 1955 Amendment No. 4. Supersedes Amendment 3 dated August 1, 1952. Major changes: altitude lowered Item 4; distance changed Item 7; shuttle added; new format	El Capitan FM (only when on top and alined on the W course of SBA LFR)	074—10	4,000	S side of W course: * 254° outbound 074° inbound. 2,000' within 10 miles. Beyond 10 miles not authorized	700	076—2 0	2 engines or less T-dn C-dn S-dn Runway 7 A-dn More than 2 engines T-dn C-dn S-dn Runway 7 A-dn	300-1 700-2 500-1 800-2	300-1 700-2 700-2 800-2 300-1 700-2 700-2 800-2	Within 2 miles, climb straight ahead to 800', make climbing right turn and climb to 4,000' on S course within 20 miles. Shuttle to 5,000' on W course within 20 miles All turns S CAUTION: Terrain above flight altitude paralleling final approach course on N. *1,500' terrain within 4 miles N of W course. all maneuvering to S side, Procedure does not meet obstruction clearance requirements for procedure turn or final approach 334' radio masts 1 mile SE of airport. NOTE. This procedure not authorized with tops above 3,500' mean sea level ADF procedure not authorized. Under local stratus conditions covering the aiport only, landings are authorized down to 500-1 provided that (1) the weather in any quadrant is unlimited as established by pilot report; (2) the airport is visible to the pilot from the unlimited quadrant; and (3) wind conditions are such that the approach and landing may be made from the unlimited quadrant
THE DALLES, OREG The Dalles, 243'. SBRAZ-DTV DLS Procedure No. 1. Effective: July 23, 1955 Amendment No. 9. Supersedes Amendment 8, dated November 13 1953. Major changes: New format; add DLS-VOR; add initial approach from 328° radial of DLS-VOR and N course DLS-LFR; add initial approach from 208 radial of DLS-VOR and S course of DLS-LFR	Intersection 165° radial DLS-VOR and E course DLS-LFR (final)	255—11 0	2 700	S side E course: 075° outbound 255° inbound. 4,000' within 10 miles	2 700	246—3 1	2 engines or less T-d T-n C-d C-n A-d A-n More than 2 engines T-d T-n C-d C-n A-d A-n	1 500-1 1, 500-2 2 500-3 2 500-3 2 500-3 2, 500-3	1 500-1 NA 2 500-3 NA 2 500-3 NA 1 500-1 NA 2, 500-3 NA 2 500-3 NA	Within 3 1 miles, execute immediate left turn, climb to 4,000' on E course within 15 miles of DLS-LFR. All turns on S side. Procedure turn S for more favorable terrain. Sliding scale not authorized for takeoff or landing
	DLS-VOR	249—11 0	2, 700							
	Intersection N course DLS-LFR and 328° radial DLS-VOR	185—17 0	5, 000							
	Intersection S course DLS-LFR and 208° radial of DLS-VOR	343—10. 0	5, 000							
TUCSON, ARIZ. Tucson municipal, 2 630' SBRAZ-DTV TUS Procedure No. 1. Effective: July 23, 1955 Amendment No. 1. Supersedes original dated June 11, 1955 Major changes: Change all reference to "Mission" FM to "San Xavier" FM; change shuttle turn direction to N side of course	TUS VOR	259—20	6, 000	N side of W course: 6,000' within 10 miles Beyond 10 miles not authorized.	TUS-LFR 5 000 San Xavier FM* 4,200	TUS-LFR 081—11 8 San Xavier FM 081—4. 0	All aircraft T-dn C-dn A-dn	300-1 700-2 800-2	300-1 700-2 800-2	Within 11 8 miles (TUS-LFR) or 4 miles (San Xavier FM) turn right, climb on a heading or 200° to 4,700', then home on LFR continuing climb to minimum of 6,000'. Alternate missed approach when directed by ATC, turn left climb on a heading of 330° to intercept TUS radial of 302° outbound, continuing climb to 7,000' outbound on radial 302° *If San Xavier FM not received 4,200 mean sea level must be maintained and minimums are 1,600-2. Shuttle to 6 000' on W course within 10 miles all turns N side of course Terrain 6,536 and 6 875 4 miles S of W course at 23 and 28 miles from LFR. Procedure turn N for more favorable terrain

2 The automatic direction finding procedures prescribed in § 609 8 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation
If an ADF instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility; class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to air port	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
FT. WORTH, TEX Amon Carter Field, 568' MHW-GPR. Procedure No. 2 Amendment 3. Effective: July 23, 1955. Supersedes amendment 2 dated July 24, 1954. Major changes: Delete transitions Realine procedure turn and final approach courses. Raise minimum altitude over facility on final approach Delete deviation note	Carter ILS-LOM	160—12	1,000	W wide of course: 100° outbound 016 inbound 2,500' within 10 miles	1,400	349—5 7	2 engines or less			Within 5.7 miles turn left climb to 1,000' on course of 300° within 15 miles of Carter ILS-LOM, or when directed by ATC, climb to 2,200' on course of 349° within 25 miles of Grand Prairie MHW. Procedure turn nonstandard due ATC
	Farmers Br Intersection	204—17	1,000				T-dn	300-1	300-1	
							C-dn	400-1	500-1	
	Dallas LFR	238—12	1,000				S-dn 35	400-1	400-1	
							A-dn	800-2	800-2	
							More than 2 engines			
							T-dn		200-½	
							C-dn		500-1½	
							S-dn 35		400-1	
							A-dn		800-2	

3 The very high frequency omnirange procedures prescribed in § 609 9 (a) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL Ceilings are in feet above airport elevation.
If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility; class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
COLUMBIA, S. C Columbia, 241' *BVOR-OAE.* Procedure No 1, Amendment—Original. Effective: Commissioning of facility, approximately June 22 1955	Columbia LFR	215—8.0	1,600	E side of course: 146° outbound 326° inbound. 1,400' within 10 miles.	900	326—0.4	2 engines or less			Within 0.4 miles climb to 1,600' on radial 326° within 25 miles
							T-dn	300-1	300-1	
							C-dn	400-1	500-1	
							A-dn	800-2	800-2	
							More than 2 engines			
							T-dn		200-½	
							C-dn		500-1½	
							S-d 34		500-1	
							A-dn		800-2	

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility: class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
THE DALLES, OREG The Dalles, 243'. BVOR-DTV DLS Procedure No. 1 Amendment No. 1. Effective: July 23, 1955 Supersedes original dated June 27, 1952. Major changes: New format; delete unnecessary note; add sliding scale note; add initial approach from S course of DLS-LFR	DLS-LFR	069—11 0	4,000	S side of course: 069° outbound 249° inbound. 4 000' within 10 miles	2 700	249—13 6	2 engines or less			Within 0 mile turn left climb to 4,000 on course of 075° within 25 miles of DLS-VOR. Procedure turn S for more favorable terrain. Sliding scale not authorized for takeoff or landing
	Intersection N course DLS-LFR and 328° radial of DLS-VOR	148—16 0	5,000				T-d	1 500-1	1 500-1	
							T-n	1 500-2	NA	
							C-d	2 500-3	2, 500-3	
							C-n	2, 500-3	NA	
							A-d	2 500-3	2, 500-3	
	Intersection S course DLS-LFR and 208° radial of DLS-VOR	028—15 0	5,000				A-n	2, 500-3	NA	
							More than 2 engines			
							T-d		1, 500-1	
							T-n		NA	
							C-d		2 500-3	
							C-n		NA	
							A-d		2, 500-3	
							A-n		NA	

4 The very high frequency omnirange procedures prescribed in § 609 9 (b) are amended to read in part:

TVOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If a TVOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility: class and identification; Procedure No (TVOR); effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance from int. runway center line extended and final course to approach end of runway	Ceiling and visibility minimums			If visual contact not established at TVOR or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
DETROIT, MICH Willow Run, 716' YIP-TVOR TVOR-4R. Effective date: July 23, 1955 Amendment No.—Original Supersedes: None Major changes: None. Newly commissioned facility	CRL-VOR	348—14 0	2,000	S side of course: 240° outbound 60° inbound. 2 000' within 10 miles	Track Intersection* or radar fix 1 500	049—0 5	2 engines or less			Climb to 2,000', proceed to Beacon Intersection# or when directed by ATC:(1) Make left turn, climb to 2,500' on the 170° R of SVM VOR to the SVM VOR (2) make right turn, climb to 2,300' proceed via W course Detroit LFR to the Detroit LFR *Track Intersection—Intersection 240 R YIP TVOR and 325° R Carleton VOR. #Beacon Intersection—Intersection 143° R Salem VOR and 40° R YIP TVOR. Dual omni receivers required unless radar fix obtained. Radar transition: All sectors 1,900' within 8.7 N. miles. At 1,900', 3 N. miles lateral separation required from radio tower 3.3 N miles W. of airport. Radar vectoring to all TVOR final approach fixes authorized.
	SVM-VOR	163—12.0	2,000			From Track Intersection* to YIP TVOR 60—5 0	T-dn	300-1	300-1	
	RML-LFR	280—7 0	2,000				C-dn	500-1	500-1	
							S-dn 4R	500-1	500-1	
							A-dn	800-2	800-2	
	FRD-RBN	228—5 0	2,000				More than 2 engines			
							T-dn		200-½	
							C-dn		500-1½	
							S-dn 4R		500-1	
							A-dn		800-2	

TVOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility; class and identification; Procedure No (TVOR); effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance from int runway center line extended and final course to approach end of runway	Ceiling and visibility minimums			If visual contact not established at TVOR, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
DETROIT, MICH. Willow Run 710' YIP-TVOR TVOR-9L Effective date: July 23, 1955 Amendment No—Original Supersedes: None. Major changes: None. Newly commissioned facility	CRL-VOR	348—14 0	2,000	S side of course: 235° outbound 105° inbound 2 000' within 10 miles	Ypsilanti* Intersection or radar fix 1 700	092—0 8 From Ypsilanti Intersection to YIP TVOR 105—5 0	2 engines or less T-dn C-dn S-dn 9L A-dn	300-1 500-1 500 1 800-2	300-1 500-1 500-1 800-2	Climb to 2,000', proceed to railroad intersection# or when directed by ATC: (1) make left turn, climb to 2,500 on the 170° radial of SVM VOR to the SVM VOR. (2) climb to 2,300', proceed via W course Detroit LFR to the Detroit LFR.A *Ypsilanti Intersection—Intersection 235° radial YIP TVOR and 105° R SVM VOR. #Railroad Intersection—Intersection 72° R YIP TVOR and 005° R—Carleton VOR. Dual OMNI receivers required unless radar fix obtained. Radar transition: All sectors 1,000' within 8.7 N miles at 1,000', 3 N. miles lateral separation required from radio tower 3.3 N miles W of airport. Radar vectoring to all TVOR final approach fixes authorized
	SVM-VOR	103—12 0	2,000							
	RML-LFR	280—7 0	2,000				More than 2 engines T-dn C-dn S-dn 9L A-dn		200-½ 500-1½ 500-1 800 2	
	FRD-RBN	223—5 0	2,000							
DETROIT, MICH. Willow Run, 710' YIP-TVOR TVOR-9R. Effective date: July 23, 1955. Amendment No.—Original Supersedes: None. Major changes: None. Newly commissioned facility.	CRL-VOR	348—14 0	2,000	S side of course: 235° outbound. 75° inbound. 2 000' within 10 miles.	Tower Intersection* or radar fix 1,500	092—0 7 From Tower Intersection* to YIP TVOR 075—5.5	2 engines or less T-dn C-dn S-dn 9R A-dn	300-1 500 1 500 1 800 2	300-1 500-1 500-1 800 2	Climb to 2 000', proceed to Railroad Intersection# or when directed by ATC: (1) Make right turn, climb to 2,200', proceed via W course Detroit LFR to the Detroit LFR; (2) make right turn, proceed direct to the Carleton VOR climbing to 2,000'; (3) make left turn, climb to 2,500' on the 170° R of the Salem VOR to the SVM VOR. Tower Intersection—Intersection 235° R YIP TVOR and 160° R Salem VOR. #Railroad Intersection—Intersection 72° R YIP TVOR and 005° R Carleton VOR. Dual OMNI receivers required unless radar fix obtainable. Radar transition: All sectors 1,000 within 8.7 N. miles at 1,000', 3 N. miles lateral. Separation required from radio tower 3.3 N miles W of airport. Radar vectoring to all TVOR final approach fixes authorized
	SVM-VOR	103—12.0	2,000							
	RML-LFR	280—7 0	2,000				More than 2 engines T-dn C-dn S-dn 9R A-dn		200 ½ 500 1½ 500 1 800-2	
	FRD-RBN	223—5.0	2,000							
DETROIT, MICH. Willow Run, 710' YIP-TVOR. TVOR-14. Effective date: July 23, 1955. Amendment No. — Original Supersedes: None. Major changes: None. Newly commissioned facility.	CRL-VOR	348—14 0	2,000	W side of course: 310° outbound 130° inbound. 2,000' within 15 miles.	Ann Intersection or radar fix 1,500	130—0 5 From Ann Intersection to YIP TVOR 130—5.0	2 engines or less T-dn C-dn S-dn 14 A-dn	500 1 500-1 500 1 800-2	500 1 500-1 500-1 800 2	Climb to 2 000' proceed to Belleville Intersection# or when directed by ATC: (1) Proceed direct to the Carleton VOR, climbing to 2,000' (2) Make right turn, proceed direct to the YIP ILS LOM, climbing to 2,300'. (3) Make left turn, climb to 2,300' proceed via W course Detroit LFR to the Detroit LFR. *Ann Intersection—Intersection 310° R YIP TVOR and 100° R of SVM-VOR #Belleville Intersection—Intersection 160° R YIP TVOR and 330° R of ORL VOR. Dual OMNI receivers required unless radar fix obtainable. Radar transition: All sectors 1,000' within 8.7 N. miles at 1,000', 3 N miles lateral separation required from radio tower 3.3 N. miles W. of airport. Radar vectoring to all TVOR final approach fixes authorized
	SVM-VOR....	103—12.0	2,000							
	RML-LFR	280—7 0	2,000				More than 2 engines T-dn C-dn S-dn 14 A-dn		200-½ 500-1½ 500-1 800 2	
	FRD-RBN	223—5.0	2,000							

TVOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility: class and identification; procedure No (TVOR); effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance from int runway center line extended and final course to approach end of runway	Ceiling and visibility minimums			If visual contact not established at TVOR or if landing not accomplished
							Condition	Type aircraft: 75 m. p. h or less	Type aircraft: More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
DETROIT, MICH Willow Run, 716' YIP-TVOR TVOR-18. Effective date: July 23, 1955 Amendment No.—Original Supersedes: None. Major changes: None. Newly commissioned facility	ORL-VOR.	348—14 0	2,000	W side of course: 345° outbound 165 inbound. 2 000' within 10 miles	Denton* Intersection or radar fix 1 500	182—0 8 From Denton Intersection* to YIP-TVOR 165—3 5	2 engines or less			Climb to 2,000, proceed to Willis Intersection# or when directed by ATC: (1) Proceed direct to Willow Run ILS LOM, climbing to 2,300; (2) Proceed direct to Wayne Major LOM, climbing to 2,300'; (3) proceed direct to Carleton VOR, climbing to 2,000'. *Denton Intersection—345° R of YIP TVOR and 90° bearing on FRD run. #Willis Intersection—Intersection 195 R YIP TVOR and 330° R ORL VOR. Omni VOR and ADF receiver required unless radar fix obtainable. Radar transition: All sectors 1,900 within 8.7 N miles at 1,900', 3 N. miles lateral separation required from radio tower 3.3 N miles W of airport. Radar vectoring to all TVOR final approach fixes authorized
	SVM-VOR	168—12 0	2,000				T-dn	300-1	300-1	
	RML-LFR	280— 7 0	2,000				C-dn	500-1	500-1	
	FRD-RBN	228— 5 0	2 000				S-dn 18	400-1	400-1	
							A-dn	800-2	800-2	
							More than 2 engines			
							T dn		200-½	
							C-dn		500-1½	
							S-dn 18		400-1	
							A-dn		800-2	
DETROIT, MICH Willow Run, 716' YIP-TVOR TVOR-22L. Effective date: July 23, 1955 Amendment No.—Original Supersedes: None. Major changes: None. Newly commissioned facility	ORL-VOR..	348—14 0	2,000	N side of course: 40° outbound 220° inbound. 2 000' within 15 miles	Beacon Intersection* or radar fix 1,500	229—0 6 From Beacon Intersection* to YIP TVOR 220—5 0	2 engines or less			Climb to 2 000' proceed to Track Intersection# or when directed by ATC: (1) Proceed direct to Willow Run ILS LOM, climbing to 2,300; (2) make right turn, climb to 2,500' on the 170° R of the SVM VOR to the SVM VOR; (3) make left turn, proceed direct to Carleton VOR, climbing to 2,000'. *Beacon Intersection—Intersection 143 R Salem VOR and 40 R YIP TVOR. #Track Intersection—Intersection 237° R YIP TVOR and 325° R Carleton VOR. Dual OMNI receivers required unless radar fix obtainable Radar vectoring to all TVOR final approach fixes authorized Radar transition: All sectors 1,900' within 8.7 N. miles. (At 1,900', 3 N miles lateral separation required from radio tower 3 3 N miles west of airport)
	SVM-VOR	168—12 0	2,000				T-dn	300-1	300-1	
	RML-LFR	280—7 0	2,000				C-dn	500-1	500-1	
	FRD-RBN	228—5 0	2 000				S-dn 22L	400-1	400-1	
							A-dn	800-2	800-2	
							More than 2 engines			
							T-dn		200-½	
							C-dn		500-½	
							S-dn 22L		400-1	
							A-dn		800-2	
DETROIT, MICH Willow Run, 716' YIP-TVOR TVOR-27R. Effective date: July 23, 1955 Amendment No.—Original Supersedes: None. Major changes: None. Newly commissioned facility	ORL-VOR.	348—14.0	2,000	N side of course: 72° outbound 252° inbound. 2 000' within 10 miles	Railroad Intersection* or radar fix 1 500	272—0 9 From Railroad Intersection* to YIP TVOR 252°—4 0	2 engines or less			Climb to 2 000 proceed to Ypsilanti Intersection# or when directed by ATC: (1) Make right turn, climb to 2,500' on the 170° R of SVM VOR to the Salem VOR; (2) make left turn, proceed direct to YIP ILS LOM, climbing to 2,300' Railroad Intersection—Intersection 72 R YIP TVOR and 005 R Carleton VOR. #Ypsilanti Intersection—Intersection 285° R YIP TVOR and 195° R SVM VOR. Dual omni receivers required unless radar fix obtainable. Radar transition: All sectors 1,900' within 8.7 N miles. At 1,900', 3-N. miles lateral separation required from radio tower 3 3 N. miles west of airport. Radar vectoring to all TVOR final approach fixes authorized.
	SVM-VOR	168—12 0	2,000				T-dn	300-1	300-1	
	RML-LFR	280—7 0	2,000				C-dn	500-1	500-1	
	FRD-RBN	228—5 0	2 000				S-dn 27R	400-1	400-1	
							A-dn	800-2	800-2	
							More than 2 engines			
							T-dn		200-½	
							C-dn		500-1½	
							S-dn 27R		400-1	
							A-dn		800-2	

TVOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility; class and identification; Procedure No (TVOR); effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance from int runway center line extended and final course to approach end of runway	Ceiling and visibility minimums			If visual contact not established at TVOR, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
DETROIT, MICH Willow Run, 716' YIP-TVOR TVOR-32. Effective date: July 23, 1955 Amendment No.—Original Supersedes: None. Major changes: None. Newly commissioned facility	ORL-VOR	348—14 0	2,000	E side of course: 150° outbound 330° inbound. 2 000' within 10 miles	Belleville Intersection* or radar fix 1,500	310—0 8 From Belleville Intersection * to YIP TVOR 330—5 5	2 engines or less			Climb to 2,200, proceed to Ann Intersection# or when directed by ATC: (1) Make right turn, climb to 2,500 on the 170° R of SVM VOR to the SVM VOR; (2) make left turn climb to 2 300' proceed direct to the YIP ILS LOM *Belleville Intersection—Intersection of 150° R YIP TVOR and 360° R of Carleton VOR. #Ann Intersection—Intersection 310° R YIP TVOR and 160° R of Salem VOR. Dual omni receivers required unless radar fix obtainable. Radar transition: All sectors 1,000' within 8.7 N miles at 1,000', 3 N. miles lateral separation required from radio tower 3 3 N. miles west of airport. Radar vectoring to all TVOR final approach fixes authorized
	SVM-VOR	168—12 0	2,000				T-dn	300-1	300-1	
	RML-LFR	280—7 0	2,000				C-dn	500 1	500-1	
	FRD-RBN	223—5.0	2,000				S-dn 32	400-1	400-1	
							A-dn	800-2	800 2	
							More than 2 engines			
							T-dn		200-½	
							C-dn		500-1½	
							S-dn 32		400-1	
							A-dn		800-2	
DETROIT, MICH Willow Run, 716' YIP-TVOR TVOR-32. Effective date: July 23, 1955 Amendment No.—Original Supersedes: None. Major changes: None. Newly commissioned facility	ORL-VOR	348—14 0	2,000	E side of course: 195° outbound 015° inbound. 2,000' within 10 miles	Willis Intersection* or radar fix 1,600	002—0 8 From Willis Intersection* to YIP-TVOR 015—5.8	2 engines or less			Climb to 2,000', proceed to Denton Intersection# or when directed by ATC: (1) Make left turn climb to 2,600' on 175° radial of SVM to the SVM VOR; (2) climb to 2,700' via back course of YIP ILS localizer to Midcraft Intersection; (3) make right turn, climb to 2 300', proceed direct to RML LFR. *Willis Intersection—Intersection 195° radial YIP-TVOR and 339° radial CRL VOR. #Denton Intersection—Intersection 345° radial YIP-TVOR and 90° bearing on FRD Radiobeacon. Dual omni receivers required unless radar fix obtainable Radar vectoring to all TVOR final approach fixes authorized. Radar transition: All sectors 1,600', within 8.7 N. miles. At 1,600', 3 N. miles lateral separation required from radio tower 3.3 N miles west of airport
	SVM-VOR	168—12.0	2,000				T-dn	300-1	300-1	
	RML-LFR	280—7 0	2,000				C-dn	500-1	500-1	
	FRD-RBN	223—5.0	2,000				S-dn 36	400-1	400-1	
							A-dn	800-2	800-2	
							More than 2 engines			
							T-dn		200-½	
							C-dn		500-1½	
							S-dn 36	--	400-1	
							A-dn		800-2	
PORTLAND, OREG. Portland International Air port, 23'. BVOR-DTV PDX Procedure No 1. Original. Effective: July 23, 1955. Supersedes procedure No. 1, Amendment No. 1, effective June 1, 1953 and procedure No 2, Amendment No 1 effective October 20, 1953. Major changes: Combines procedures 1 and 2; Minor course and distance corrections; modified missed approach procedure; modified caution note; add radar note; remove unnecessary runway note; add Washougal Intersection; Add Stevenson FM delete "final" with Woodland FM; add La Center Intersection	Sauvies Radiobeacon	041—12.0	3,000	W side of course: 332° outbound. 152° inbound. 3,000' within 10 miles. Not authorized beyond 10 miles due to obstructions	2,000	161—*10.5	2 engines or less			Within 10.5 miles, turn right, climbing to 3,000 on 175° radial within 15 miles of PDX-VOR. *Descent below 1,000' mean sea level not authorized until past PDX-LFR inbound. If PDX-LFR not received, maintain 1,000' mean sea level. CAUTION: VOR reception not available over the airport below 450' mean sea level **300-1 required on runways 7-25, 11, 2 29 All fixes within 25 nautical miles of GOA station may be determined by surveillance radar
	PDX LFR	342—7 0	3,000				T-dn	300-1	300-1	
	Stevenson FM	234—32.0	6,000				C-d	600 1	600-1	
	Washougal Intersection	234—14.0	3,000				C-n	600-1	700-1	
	Woodland FM.	152—10.0	3,000				A-dn	800 2	800 2	
	La Center "FM" (final)	152—5.0	2,600				More than 2 engines			
	La Center Intersection	152—5.0	2,600				T-dn	(**)	200-½	
							C-d		600-1½	
							C-n		700-1½	
							A-dn		800-2	

5 The instrument landing system procedures prescribed in § 609 11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; facility; class and identification; procedure No ; effective date	Transition to ILS				Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope interception inbound (ft)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance	Minimum altitudes (ft)			Outer marker	Middle marker	Condition	Type aircraft: 75 m.p.h or less	Type aircraft: More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11	12	13
FORT WORTH, TEX Amon Carter 568' ILS-IAOF. Procedure No. 2 Amendment 2. Effective: July 23, 1955. Supersedes Amendment 1, dated April 22, 1954. Major changes: Delete transitions Raise procedure turn altitude. Lower minimum altitude over Hensley Intersection on final	Duncanville FM	Hensley Intersection (final)	309—11	1,300	S side SE course: 129° outbound 309° inbound 2 600' within 10 miles. Beyond 10 miles not authorized	No glide slope 1,300' at Hensley Intersection. 4 miles from approach end of runway 31			2 engines or less			Within 4 0 miles of Hensley Intersection, climb to 1,900' on NW course of ILS, within 25 miles. CAUTION: Radio tower 1,230' mean sea level located 5 miles ENE of outer marker
	Grand Prairie MHW	Hensley Intersection	035—4 5	1, 900					T-dn C-dn S-dn 31 A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	
									More than 2 engines			
									T-dn C-dn S-dn 31 A-dn		200-½ 500-1½ 400-1 800-2	
NEWPORT NEWS VA Patrick Henry 41' ILS-PHF LOM-PH. Combination ILS-ADF. Procedure No. 1; Amendment No. 1; Effective date: July 23, 1955. Supersedes Amendment Original, dated December 23, 1954. Major changes: Procedure turn altitude lowered; Radar transition altitudes added.	Langley LFR	LOM	284—7	1, 100	W side SW course:* 244° outbound 064° inbound 1,100' within 5 miles	ILS 1, 100	965—3 1	No middle marker or LMM	2 engines or less			Within 3.1 miles after passing LOM (ADF) make a left climbing turn and proceed to Dendron MHW at 1,500'. *Procedure turn W to avoid aircraft holding on Eclipse FM. AIR CARRIER NOTE: 400-1 required when operating under the provisions of inoperative ILS components Radar transition altitudes (using *Norfolk radar*): 1 500' in the NW quadrant of the Langley LFR within 10 miles; 1,500' in all other quadrants within 15 miles. Radar fixes may be substituted for all fixes shown
	Norfolk LFR	LOM	321—25	1, 500		ADF 800			T-dn C-dn	300-1 400-1	300-1 500-1	
	Bacons Castle Intersection	LOM	097—6	1, 100					S-dn 6 ILS	400-¾	400-¾	
									ADF	400-1	400-1	
									A-dn	800-2	800-2	
									More than 2 engines			
									T-dn C-dn		200-½ 500-1½	
									S-dn 6 ILS		400-¾	
									ADF		400-1	
									A-dn		800-2	

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility; class and identification; procedure No; effective date	Transition to ILS: From—	Transition to ILS: To—	Transition to ILS: Course and distance	Transition to ILS: Minimum altitudes (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope intercept ion inbound (ft)	Altitude of glide slope and distance to approach end of runway at—: Outer marker	Altitude of glide slope and distance to approach end of runway at—: Middle marker	Ceiling and visibility minimums: Condition	Ceiling and visibility minimums: Type aircraft: 75 m p.h or less	Ceiling and visibility minimums: Type aircraft: More than 75 m p h	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
1	2	3	4	5	6	7	8	9	10	11	12	13
PORTLAND, OREG. Portland International Airport 23'. ILS-IPDX RBN SVY. Combination ILS-ADF Procedure No. 1 Amendment No. 5 Effective: July 23, 1955 Supersedes ILS Amendment No. 4, Apr. 28, 1953 and ADF original of Dec. 17, 1951 New format. Add radar note; remove unnecessary runway note; delete unnecessary caution note; minor course and distance corrections; revise missed approach procedure	Woodland FM	SVY	178—22 0	3,000	S side of course: 278° outbound 098° inbound 3 000' within 10 miles of SVY-RBN. Not authorized beyond 10 miles	3,000	1,370—4 5	280—0 6	2 engines or less			Within 0 mile after passing LMM (ADF) climb to 1,500' on course of 098° within 10 miles of LMM; thence make climbing right turn to a heading of 230° proceeding to S course of PDX-LFR at 3,000', or proceed to 176° radial of PDX-VOR at 3,000' within 15 miles of VOR; or, when directed by ARTO climb to 1,500' on back course of ILS localizer within 10 miles of LMM, make climbing left turn, proceed direct to PDX-LFR or to PDX-VOR at 3,000' if OM not received visually and aurally, maintain 1 600' to LMM, then climb to 3,000' on S course of PDX-range within 10 miles of LFR. *300-1 required on Runways 7-25, 11, 2-20. All fixes within 25 nautical miles of GCA station may be determined by surveillance radar
									T-dn	300-1	300-1	
	La Center FM	SVY	197—13 0	3,000					C-d	600-1	600-1	
									C-n	600-1	700-1	
	PDX-VOR	SVY	221—12.0	3,000					S-dn Rnwy 10 ILS	200-½	200-½	
	PDX-LFR	SVY	250—10 0	3,000					ADF	600-1	600-1	
	Willamette FM	SVY	330—22.0	3,000					A-d	600-2	600-2	
	UBG-VOR	SVY	360—23 0	3,000					A-n	600-2	700-2	
									ADF A-dn	800-2	800-2	
									More than 2 engines			
									T-dn		*200-½	
									C-d		600-1½	
									C n		700-1½	
									S-dn Rnwy 10 ILS		200-½	
									ADF		600-1	
									A-d		600-2	
									A-n		700-2	
									ADF A-dn		800-2	
SANTA BARBARA, CALIF Municipal, 14' ILS SBA Procedure No. 1. Effective: July 23, 1955 Amendment No. 2. Supersedes Amendment 1, dated October 6, 1953. Major changes: Distance in Item 8 changed; new format	SBA LFR ..	ILS W course	253—0	4,000	S side W course: 253° outbound 073° inbound 2 000' within 5 miles of SBA LFR **	2,000	No outer marker	105—0.03	2 engines or less			Climb straight ahead to 800', make climbing right turn and climb to 4,000' on magnetic track of 105° from SBA LMM within 20 miles or on S course of SBA LFR within 20 miles. *Straight in approach from El Capitan FM authorized provided aircraft is on top, with tops not above 3,500' mean sea level, and is aligned on localizer course eastbound. * 1,500' terrain within 4 miles N of localizer course. All maneuvering must be done on S side of course. ‡300-1 required on runways 3 L/R and 33 L/R. CAUTION: Terrain above flight altitude paralleling final approach course on N. Procedure does not meet obstruction clearance requirements for procedure turn or final approach. 344' radio masts 1 mile S of airport
	SBA VOR	LMM	225—8.0	5,000			El Capitan FM 2374—11 5		T-dn	300-1	300-1	
	El Capitan FM	ILS W course..	073—0	*5,000					C-dn	700 2	700 2	
									S-dn Runway 7	300-1‡	300-1‡	
									A-dn	800 2	800 2	
							Santa Barbara LFR 600—2.0		More than 2 engines			
									T-dn		300-1‡	
									C-dn		700 2	
									S-dn Runway 7		300-1‡	
									A-dn		800-2	

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility; class and identification; procedure No ; effective date	Transition to ILS				Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope intercept ion inbound (ft)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance	Minimum altitudes (ft)			Outer marker	Middle marker	Condition	Type aircraft: 75 m p h or less	Type aircraft: More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11	12	13
TOLEDO, OHIO. Toledo Express 684' ILS-TOL LMM-OL. VOR-VWV. Combination: ILS (back course) and ADF (using Holland Intersection), Procedure No. 2. Combination ILS-ADF Amendment No. 1. Effective date: July 23 1955. Supersedes Amendment original, dated Jan 15 1955 Major changes: ILS and LMM Ident	Harbor View Intersection.	Holland Intersection	249—8	2,100 (final)	N side of course: 069° outbound 249 inbound 2 100' within 10 miles of Holland Intersection	No glide slope or markers Descend to landing minimums after passing Holland Intersection. Minimum altitude over Holland Intersection 2,100' Distance and bearing from Holland Intersection to Runway 25: 6 3 miles 249°			2 engines or less			6 3 miles after passing Holland Intersection climb straight ahead to 2 000' on 249° course to Toledo LOM. CAUTION: Building 865 1¾ S of middle marker. ILS procedure not authorized unless ILS and VOR can be received simultaneously. ADF procedure not authorized unless ADF and VOR can be received simultaneously
									T-dn	300–1	300–1	
									C-dn	500–1	500–1	
									S-dn 25 ILS	400–1	400–1	
									ADF	500–1	500–1	
									A-dn	800–2	800–2	
									More than 2 engines			
									T-dn		200–½	
									C-dn		500–1½	
									S-dn 25 ILS		400–1	
									ADF		500–1	
									A-dn		800–2	

These procedures shall become effective on the dates indicated in Column 1 of the procedures

(Sec 205 52 Stat 984 as amended; 49 U S C 425 Interpret or apply sec 601 52 Stat 1007 as amended; 49 U S C 551)

[SEAL]

S. A. KEMP,
Acting Administrator of Civil Aeronautics

[F R Doc 55–4970; Filed June 28 1955; 8:45 a m]

[Amdt 118]

PART 608—RESTRICTED AREAS

ALTERATIONS

The restricted area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army the Navy and the Air Force, through the Air Coordinating Committee Airspace Panel and are adopted to become effective when indicated in order to promote safety of the flying public Since a military function of the United States is involved compliance with the notice procedure and effective date provisions of section 4 of the Administrative Procedure Act is not required

Part 608 is amended as follows:

1 In § 608 18, the Miami Florida, area (R–169 formerly D–169) amended on March 29 1951, in 16 F R 2720, is further amended by changing the 'Description by Geographical Coordinates' column to read: "Beginning at latitude 26 15 00 ', longitude 80 16 30"; south southwest to latitude 26 00 00 ' longitude 80 18 05"; west to latitude 26 00'00 longitude 80 21'35"; north northwest to latitude 26 08 30", longitude 80 25'25"; north northwest to latitude 26°14'00", longitude 80 27'05"; northeast to latitude 26 15'00" longitude 80°26 10 '; east to 26 15'00" longitude 80°16 30"; point of beginning'

2 In § 608 30 the Little Sable Point Michigan area (R–437 formerly D–437), amended on June 18 1954, in 19 F R 3611, is redesignated as follows:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of use	Controlling agency
LITTLE SABLE POINT, MICH (R–437) (Milwaukee)	Beginning at latitude 43 45'00" longitude 86 31'00"; thence to latitude 43°23'30", longitude 86°22'00"; thence to latitude 43 15'00", longitude 86°30'00"; thence to latitude 43 15'00" longitude 86°44'00"; thence to latitude 43°45'00" longitude 86°44'00"; thence to latitude 43 45'00', longitude 86°31'00"; point of beginning.	Surface to 60,000 feet mean sea level.	Daylight hours only	Commanding Officer, Camp Claybanks New Era Mich

(Sec 205, 52 Stat 984 as amended; 49 U S C 425. Interpret or apply sec. 601 52 Stat 1007 as amended; 49 U S C 551)

This amendment shall become effective on July 14 1955

[SEAL] F B LEE,
Administrator of Civil Aeronautics

[F R Doc 55–5150; Filed June 28 1955; 8:45 a m]

[Amdt 119]

PART 608—RESTRICTED AREAS

ALTERATIONS

The restricted area alterations appearing hereinafter have been coordinated with the civil operators involved the

Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.62, the Kahuku Point, Island of Oahu, Territory of Hawaii, area (R–323 formerly D–323), amended on February 11, 1953, in 18 F. R. 844, is redesignated as follows:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of use	Controlling agency
KAHUKU POINT, OAHU, T. H. (R-323) (Hawaiian Islands).	Area within a radius of 1.5 nautical miles centered at 21°43' N., and 157°56'30" W.	3,000 feet mean sea level.	As published in Notices to Airmen, hours of daylight and darkness.	COM Fleet Air, NAS Barber's Point, Hawaii.

2. In § 608.62, the Humuula, Island of Hawaii, Territory of Hawaii, area (R–328 formerly D–328) amended on October 6, 1951, in 16 F. R. 10204, is redesignated as follows:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of use	Controlling agency
HUMUULA, T. H. (R-328) (Hawaiian Islands).	Beginning at latitude 19°48'45" longitude 155°38'00"; thence to latitude 19°45'15", longitude 155° 32'00"; thence to latitude 19°39' 00", longitude 155° 26'30"; thence to latitude 19°32'00" longitude 155°42'00"; thence to latitude 19° 38'00" longitude 155° 45'10"; thence to latitude 19°41'00", longitude 155°44'00"; thence to latitude 19°47'00" longitude 155° 38'00"; thence to point of beginning.	27,000 feet mean sea level.	As published in Notices to Airmen (Firing Notices) hours of daylight and darkness.	USAR PAC.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on July 7, 1955.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55–5151; Filed, June 28, 1955; 8:45 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

Subchapter C—Mutual Mortgage Insurance and Serviemen's Mortgage Insurance

PART 222—MUTUAL MORTGAGE INSURANCE; RIGHTS AND OBLIGATIONS OF MORTGAGEE UNDER THE INSURANCE CONTRACT

CONDITION OF PROPERTY WHEN TRANSFERRED; DELIVERY OF DEBENTURES AND CERTIFICATE OF CLAIM

Section 222.13 (a) (1) is amended to read as follows:

§ 222.13 *Condition of property when transferred, delivery of debentures and certificate of claim.* (a) * * *

(1) Debentures of the Mutual Mortgage Insurance Fund as set forth in section 204 of the act, which debentures shall:

(i) Be issued as of the date mortgage foreclosure proceedings were instituted, or as of the date the property was otherwise acquired by the mortgagee after default, or as of the date the property was acquired by the Commissioner if directly conveyed to the Commissioner from the mortgagor;

(ii) Have a face value to be determined by adding to original principal of the mortgage, as increased by the amount of advances made by the mortgagee and approved by the Commissioner for the improvement or repair of the property pursuant to an "open-end" provision in the mortgage, which was unpaid on the date of the institution of foreclosure proceedings or the acquisition of the property otherwise after default, the amount of all payments which have been made by the mortgagee for taxes, ground rent and water rates, which are liens prior to the mortgage, special assessments, which are noted on the application for insurance or which become liens after the insurance of the mortgage, hazard insurance on the mortgaged property, any mortgage insurance premium or insurance charges paid after the institution of foreclosure proceedings or the acquisition of the property otherwise after default, any taxes imposed by the United States upon deeds or other instruments by which said property was acquired by the mortgagee and transferred or conveyed to the Commissioner and foreclosure costs actually paid by the mortgagee and approved by the Commissioner in an amount not in excess of two-thirds of such cost or $75, whichever is the greater, and by deducting from such total any amount received on account of the mortgage after the institution of foreclosure proceedings or the acquisition of the property otherwise after default and from any source relating to the property on account of rent or other income after deducting reasonable expenses incurred in handling the property: *Provided, however* That with respect to mortgages to which the provisions of sections 302 and 306 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, apply, there shall be included in the debentures an amount which the Commissioner finds to be sufficient to compensate the mortgagee for any loss which it may have sustained on account of interest on debentures and the payment of insurance premiums by reason of its having postponed the institution of foreclosure proceedings or the acquisition of the property by other means during any part or all of the period of such military service and three months thereafter;

(iii) Be registered as to principal and interest;

(iv) At the option of the Commissioner and with the approval of the Secretary of the Treasury, be redeemed at par and accrued interest on any interest payment day on three months' notice of redemption given in such manner as the Commissioner shall prescribe;

(v) Mature 20 years from the date thereof;

(vi) Bear interest from the date of issue, payable semiannually on the first day of January and the first day of July of each year at the rate in effect as of the date the commitment was issued or as of the date the mortgage was endorsed for insurance, whichever rate is the higher. The following interest rates are effective for the dates listed:

Effective rate	On or after—	Prior to—
Percent		
2¼	Aug. 9,1954	Sept. 1,1954
2½	Sept. 1,1954	Jan. 1,1955
2¼	Jan. 1,1955	July 1,1955
2½	July 1,1955	

(Sec. 211, 52 Stat. 23; 12 U. S. C. 1715b)

Subchapter D—Multifamily and Group Housing Insurance

PART 233—RENTAL HOUSING INSURANCE; RIGHTS AND OBLIGATIONS OF MORTGAGEE UNDER INSURANCE CONTRACT

INSURANCE BENEFITS

Section 233.9 (a) (1) is amended to read as follows:

§ 233.9 *Insurance benefits.* (a) * * *

(1) Debentures of the Housing Insurance Fund as set forth in section 207 of the National Housing Act which debentures shall:

(i) Be issued as of the date the mortgage became in default;

(ii) Have a total face value equal to the value of the mortgage as defined in section 207 (g) of the National Housing Act, which value shall be determined by adding to the original principal of the mortgage which was unpaid on the date of default the amount and mortgagee may have paid for taxes, special assessments, and water rates which are liens prior to the mortgage; insurance on the property; and reasonable expenses for the completion and preservation of the property, and any mortgage insurance premiums paid after default; less the sum of an amount equivalent to one percent of the amount of the mortgage advanced to the mortgagor and not repaid; any amount received on account of the mortgage after such date; and any net income received by the mortgagee from the property after such date;

(iii) Be registered as to principal and interest;

(iv) At the option of the Commissioner and with the approval of the Secretary of the Treasury be redeemed at par and accrued interest on any interest payment date on 3 months notice of redemption given in such manner as the Commissioner shall prescribe;

(v) Mature 20 years from the date thereof;

(vi) Be issued in multiples of $50.00 and any difference not in excess of $50.00 between the amount of debentures to which the mortgagee is otherwise entitled hereunder and the aggregate face value of the debentures issued shall be paid in cash by the Commissioner to the mortgagee;

(vii) Bear interest from the date of issue, payable semiannually on the first day of January and the first day of July of each year at the rate in effect as of the date the commitment was issued, or as of the date the mortgage was endorsed for insurance, whichever rate is the higher. The following interest rates are effective for the dates listed:

Effective rate	On or after—	Prior to—
Percent		
2½	Aug. 13, 1954	Jan. 1, 1955
2⅜	Jan. 1, 1955	July 1, 1955
2⅞	July 1, 1955	

(Sec. 211, 52 Stat. 23; 12 U. S. C. 1715b)

Issued at Washington, D. C., June 24, 1955.

[SEAL] CHARLES E. SIGETY,
Acting Commissioner

[F. R. Doc. 55-5177; Filed, June 28, 1955; 8:51 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 11249; FCC 55-686]

[Rules Amdts. 2-1, 11-12]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

PART 11—INDUSTRIAL RADIO SERVICES

REPORT AND ORDER

ALLOCATION OF FREQUENCIES AND PERMISSION TO USE CERTAIN RADIOLOCATION EQUIPMENTS FOR PETROLEUM EXPLORATION OFF COAST OF CALIFORNIA

In the matter of Amendment of parts 2 and 11 of the Commission's rules to allocate frequencies and permit the use of certain radiolocation equipments in connection with petroleum exploration off the coast of California; Docket No. 11249.

1. On January 12, 1955, the Commission issued a notice of proposed rule making in this proceeding in response to petitions by Offshore Navigation, Inc., Overseas Navigation, Inc., and the Central Committee on Radio Facilities of the American Petroleum Institute to amend the Commission's rules so as to permit, under certain conditions, the use of three specific frequencies in the Government band 225–328.6 Mc in connection with the use of SHORAN radiolocation equipment for petroleum exploration operations off the coast of California.

2. The abovementioned notice of proposed rule making was published in the FEDERAL REGISTER on January 20, 1955 (20 F R. 465) in accordance with the requirements of section 4 (a) of the Administrative Procedure Act. Provisions were made for the submission of written comments by interested parties on or before February 23, 1955, and rebuttal comments within ten days thereafter.

3. Comments in support of the proposed rule making were filed by each of the three parties shown in paragraph 1 above and, in addition, comments were received from Interstate Petroleum Communications, Inc., which not only supported the proposed rule making but also requested that it be extended to include the State of Louisiana and waters adjacent thereto. The latter party stated that the use of SHORAN for the past several years in conjunction with phase comparison systems had been invaluable in the absence of suitable lane identification for the phase comparison systems. It was further stated that SHORAN was very useful for surveying in-shore bays and inlets where phase comparison systems, in their present form, are not practical. In addition, Interstate indicated that SHORAN was also needed in conjunction with tests to evaluate a possible error of considerable magnitude which may have been discovered in the phase comparison system being used.

4. In recognition of the need for the establishment of a reliable, nationally available radiopositioning system, the Commission has encouraged the development of this type of equipment in frequency bands below 500 kc, which appear to offer a more suitable permanent home for such operations than the 1750–1800 kc band now generally used or bands in the high frequency region of the radio spectrum. Toward that end the Commission has authorized experimental radiopositioning operations in the band 90–110 kc and has proposed to amend its Table of Frequency Allocations so as to provide for such development on a general basis (Docket No. 10988) The Commission believes that the use of bands below 500 kc will assist in overcoming some of the more serious frequency problems inherent in the use of the above-mentioned bands higher in the radio frequency spectrum. In this connection, at least one serious international interference problem has occurred due to radiopositioning operations in the Gulf of Mexico in the band 1750–1800 kc.

5. Because of the current availability of SHORAN equipment and the showing of need for its use made in this proceeding, the Commission believes that some provision should be made in the Commission's rules so as to make available the frequencies 230 Mc, 250 Mc and 310 Mc for further SHORAN operations on a limited basis in the radiolocation activities of the Petroleum industry. It appears that there may be instances where SHORAN can provide an immediate solution to certain radiopositioning problems of a special nature where the use of larger presently available phase comparison systems would be economically or otherwise impractical. This should assist in the general economic growth of the Industrial Radiolocation Service and help make possible its orderly development on a long-range basis in other frequency bands where a practical and reliable nationwide service can be realized. The further use of SHORAN should not be permitted to retard such development in any way.

6. The Commission wishes to emphasize that the three frequencies involved are in the Government band 225–328.6 Mc and that any non-Government use of these frequencies for SHORAN operations is on a non-interference basis to Government operations in this band. Experience has indicated that it is becoming increasingly difficult in many areas of the country to avoid conflicts with Government operations in the band in question. For that reason, in planning civil radiolocation operations, primary reliance should not be placed on the use of SHORAN. For the same reason, users are also warned that SHORAN should not be permanently integrated with radiolocation equipment operating in other frequency bands. The Commission believes that, on the basis of available information, any two-band radiolocation system which utilizes one band for lane identification only would be wasteful of spectrum space, in addition to creating frequency requirements which probably could not be met on a nationwide basis.

7. Inasmuch as the Commission believes that the petition filed by Interstate Petroleum Communications, Inc., cites good and sufficient cause for modifying the Commission's original proposal in this proceeding, and in view of the absence of any comments in opposition to the modification requested, the rule amendments herein adopted provide for limited SHORAN operation in both the California coastal area and the Gulf of Mexico coastal area. It should be noted that the geographical area in which SHORAN operations are to be permitted in the Gulf of Mexico area is the same as the area in which phase comparison systems in the band 1750–1800 kc are now permitted. Therefore, all companies now using the latter type of equipment are equally eligible to make use of SHORAN equipment in that area.

8. Pursuant to the authority contained in section 303 (c), (d), (f) and (r) of the Communications Act of 1934, as amended, it is therefore ordered that, effective July 5, 1955, Parts 2 and 11 of the Commission's rules are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082 as amended; 47 U. S. C. 303)

Adopted: June 22, 1955.

Released: June 24, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

A. Part 2 of the Commission's rules is amended in the following respects:

Section 2.104 (a) (5) is amended by inserting the following footnote in column 7 of the band 225–328.6 Mc:

(US43) For the radiolocation activities of the petroleum industry only, land radiopositioning stations and mobile radiopositioning stations making use of SHORAN equipment may be authorized the use of the frequencies 230 Mc, 250 Mc and 310 Mc at locations within 150 miles of the shoreline of the Gulf of Mexico and the shoreline of the State of California, provided that no harmful interference is caused to services operating in accordance with the Table of Frequency Allocations and provided that SHORAN operations are coordinated locally in advance with Federal Government authorities making use of frequencies in this band in the same area.

B. Part 11, Industrial Radio Services, is amended by adding a new paragraph (e) to § 11.607 of Subpart M, Industrial Radiolocation Service, to read as follows:

(e) Land Radiopositioning Stations (SHORAN) and Mobile Radiopositioning Stations (SHORAN) in this service may be authorized the use of the frequencies 230 Mc, 250 Mc and 310 Mc at locations within 150 miles of the shoreline of the Gulf of Mexico and the shoreline of the State of California for radiolocation operations of the petroleum industry only, provided that no harmful interference is caused to services operating in accordance with the Table of Frequency Allocations contained in Part 2 ("Rules Governing Frequency Allocations and Radio Treaty Matters") and provided that SHORAN operations are coordinated locally in advance with Federal Government authorities making use of frequencies in the band 225–328.6 Mc in the same area.

[F. R. Doc. 55-5178; Filed, June 28, 1955; 8:51 a. m.]

[Rules Amdt. 3-49; FCC 55-703]

PART 3—RADIO BROADCAST SERVICES

DATA REQUIRED WITH APPLICATIONS FOR DIRECTIONAL ANTENNA SYSTEMS

In the matter of amendment of § 3.150 of the Commission's rules and regulations; Rules Amdt. 3-49.

1. The Commission has under consideration Section 3.150 of its rules and regulations as adopted in its report and order in Docket No. 11020 issued on May 23, 1955 (FCC 55-591)

2. Section 3.150 sets forth the data that must be filed with all applications involving standard broadcast directional antenna systems. The rule as presently drafted requires vertical plane radiation patterns for both daytime and nighttime operation. The Commission has not generally required the submission of calculated vertical field intensity patterns for daytime directional operation in the past, and it was not the Commission's intention in adopting § 3.150 of the rules to require that applicants submit field intensity vs. azimuth patterns in all cases. The Commission is of the view that the submission of vertical patterns for daytime directional operation is unnecessary in certain cases. We believe that data involving daytime vertical field intensity patterns should be supplied only when such data would constitute a pertinent factor in station allocation.

3. In view of the foregoing, the Commission is amending § 3.150 by adding the following language to the first sentence of paragraph (a) (3) of the rule: "In those instances where radiation at angles above the horizontal plane is a pertinent factor in station allocation."

4. Authority for the adoption of the amendment herein is contained in sections 4 (i) and (j) and 303 (s) of the Communications Act of 1934, as amended.

5. The amendment adopted herein constitutes a relaxation of the present requirement in § 3.150 of the rules. Prior publication of notice of proposed rule making is not necessary.

6. *It is ordered,* That effective June 30, 1955, § 3.150 of the Commission's rules and regulations is amended as follows:

Section 3.150 (a) (3) is amended to read as follows:

(3) Calculated field intensity vs. azimuth patterns for every 5 degrees of elevation through 60 degrees in those instances where radiation at angles above the horizontal plane is a pertinent factor in station allocation. These may be plotted in slotted rectangular coordinates but shall be submitted one to a page. Minor lobe and null detail occurring between the 5-degree intervals need not be submitted.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082; 47 U. S. C. 303)

Adopted: June 22, 1955.

Released: June 24, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-5179; Filed, June 28, 1955; 8:52 a. m.]

[Docket No. 11237; FCC 55-704]

[Rules Amdt. 3-50]

PART 3—RADIO BROADCAST SERVICES

OPERATION OF LOW-POWER TELEVISION STATIONS

In the matter of amendment of Part 3 of the Commission's rules and regulations concerning television broadcast service to authorize the operation of low-power television broadcast stations; Docket No. 11237.

1. The Commission has before it for consideration its notice of proposed rule making issued in the above-entitled matter on December 17, 1954, and the comments filed in the proceeding. The notice was issued in response to a petition filed by Sylvania Electric Products, Inc., urging that the Commission's rules be revised to permit television broadcast stations to operate with lower power.

2. The Commission's rules presently prescribe the minimum effective radiated power for television broadcast stations, with the power specified varying in accordance with the size of the city. Stations located in cities under 50,000 population are required to operate with a minimum of 1 kw (0 dbk) effective radiated power at antenna heights of 300 feet above average terrain; for antenna heights below 300 feet, power must be increased to provide approximately equivalent coverage as computed in accordance with Figure 1, Appendix III, of the rules. In its notice of proposed rule making, the Commission proposed to amend § 3.614 of the rules to provide that stations located in cities with 50,000 persons or less could employ minimum power of —10 dbk (100 watts) at any antenna height.

3. In proposing to lower the minimum power requirements for television broadcast stations, the Commission expressed its desire to obtain the maximum utilization of the television broadcast frequencies and noted its concern for stimulating the growth of television in the smaller communities situated at remote areas presently beyond the service areas of operating stations. The Commission pointed out that a step in this direction was the policy announced in its Public Notice of August 5, 1954 (FCC 54-991) that it would consider applications for stations which do not propose to originate any local programs where it appears that this type of operation would permit the flexibility and the necessary economy to make the operation of a station feasible in a community where one might not otherwise be constructed. The Commission cautioned at that time, however, that such stations would be required to meet the technical provisions of the rules, including those relating to minimum height and power. The Commission expressed its view that a reduction in the minimum power requirement for stations in small communities would offer a further inducement to prospective television operators to construct stations in towns where operation might not otherwise be economically feasible; and its belief that a reduction in the minimum power requirements for cities with populations under 50,000 can be undertaken while still affording such communities adequate coverage.

4. In light of the Commission's policy with respect to the authorization of stations which do not propose to originate local programs, the Commission, in its notice of rule making, requested interested parties to direct their comments to a number of specific matters. The notice sought information with respect to such factors as the cost of construction and operation of stations without locally originated programs and information relating to the feasibility of such operation. Inquiry was directed, also, to other changes in the technical requirements in the rules that might be necessary or desirable in order to accommodate such low-power operation, and the Commission directed interested parties to questions relating to the eligibility of stations for engaging in such operations.

5. Comments have been filed in this proceeding by a number of parties.[1] The comments almost unanimously favor the proposed revision to permit low-power operation. Several parties have proposed additional detailed technical rule changes. The comments with respect to eligibility for low-power operation in connection with stations without locally originated programs, however, present a number of varying viewpoints.

6. In its notice the Commission proposed only to permit low-power operation in cities with populations under 50,000 persons. A number of the parties commenting in the proceeding urged that low-power operation should not be confined to small communities; other parties urge that, on the other hand, low power should be permitted only in cities with populations of 25,000 persons or less; and still other parties submit that low power is warranted only when economic factors in particular areas may justify this type of operation. Upon our consideration of the comments directed to this phase of the proceeding, we have concluded that low-power operation should not be dependent upon the size of the city concerned, and that the public interest would be served by reducing the minimum power requirements for all television broadcast stations. We do not believe that it would be practicable to evaluate requests for low power on a case-by-case basis in order to attempt to determine when economic or other conditions might warrant such operation. Most of the remaining unassigned channels are located in cities with populations of less than 50,000 persons. For those cities of greater than 50,000 persons where channels are still available, we believe the public interest would be served by reducing the present minimum power restrictions in order to encourage the establishment of additional local television service. Accordingly, we have decided to reduce the minimum power requirements for all stations regardless of the size of the city to —10 dbk (100 kw) with no minimum antenna height specified.

7. The Commission's notice of rule making also raised the question whether low-power stations should be authorized only in those cities without authorized or operating stations, and without applications on file, and whether low-power authorizations should only be made for stations in cities at least 50 miles distant from operating stations. Upon our consideration of the comments submitted in the proceeding, we have concluded that restrictions on the basis of proximity to other television stations should not be applied to low-power stations. In order to effectuate the maximum utilization of our assignment plan and to make possible the affording of a diversity of television services to the public, we do not believe that low-power stations should be barred because they may be close to existing stations. Many of the authorizations for both VHF and UHF stations which have been returned to the Commission for cancellation were located in cities with populations of greater than 50,000 persons and were situated within 50 miles of other operating stations. Substantial numbers of receivers, it is apparent, are located in these areas and are equipped to receive both VHF and UHF transmissions. The amendment we are here adopting may offer an inducement to the re-establishment of additional television stations in these areas.

8. In our notice of rule making we also requested the parties to direct their comments to the subject of multiple ownership and its relation to low-power stations. The majority of the comments urge that the multiple ownership rules should not be made applicable to low-power stations. However, these comments misconstrue the basic purpose of this proposal. Lowering the minimum power for television stations is intended primarily to provide an incentive for broadcasters to commence the construction of stations that might not otherwise be economically feasible, with the anticipation that many of the stations so authorized will eventually increase power and become full-fledged television stations in all respects. We do not believe, therefore, that we should relax our multiple ownership rules with respect to low-power stations. On the other hand, we do not believe that any special precautionary measures in addition to the existing multiple ownership rules are necessary in order to prevent an undue concentration of control of television facilities contrary to the public interest.

9. A number of comments submitted urge that in order for our action herein to be fully effective, other technical rules and standards should also be revised. For example, the comments suggest the use of directional antennas, remote control operation, etc. Without considering the merits of these suggestions, we believe that they require further extensive rule making in order to be treated adequately. We do not believe that we should withhold our action in this proceeding relating to low-power operation in order to consider these other matters. They will be given further consideration in future proceedings.

10. Authority for the adoption of the amendments herein is contained in sections 4 (i), 303 (a), (b) (c) (d), (e) (f) (g), and (r), and 307 (b) of the Communications Act of 1934, as amended.

11. In view of the foregoing: *It is ordered,* That, effective August 1, 1955, § 3.614 of the Commission's rules and regulations, and Figure 1, Appendix III, are amended as set out below.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies secs. 303, 307, 48 Stat. 1082, 1084; 47 U. S. C. 303, 307)

Adopted: June 22, 1955.

Released: June 24, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

I. Section 3.614 is amended as follows:

a. Delete paragraph (a) and substitute the following:

§ 3.614 *Power and antenna height requirements*—(a) *Minimum requirements.* Applications will not be accepted for filing if they specify less than —10 dbk (100 watts) visual effective radiated power in any horizontal direction. No minimum antenna height above average terrain is specified.

b. The following sentence is added after the title of paragraph (b) "Applications will not be accepted for filing if they specify a power in excess of that provided for in this paragraph."

II. Figure 1, entitled "Minimum Effective Radiated Power v. Antenna Height Above Average Terrain", of Appendix III of Subpart E is deleted.

[F. R. Doc. 55-5180; Filed, June 28, 1955; 8:52 a. m.]

[Docket No. 10989; FCC 55-706]

[Rules Amdt. 3-51]

PART 3—RADIO BROADCAST SERVICES

AFFILIATION AGREEMENTS; TERRITORIAL EXCLUSIVITY

In the matter of amendment of § 3.658 (b) of the Commission's rules and regulations; Docket No. 10989.

1. The commission has under consideration its notice of proposed rule making (FCC 54-437) issued in this proceeding on April 1, 1954, and published in the FEDERAL REGISTER on April 7, 1954 (19 F R. 1961), proposing to amend § 3.658 (b) of the Chain Broadcasting Rules so as to limit the geographic bounds wherein a television broadcast station may contract for territorial exclusivity with network organizations to the extent permitted by this section of the rules.[1]

[1] Comments have been filed by the following parties: Miami University, Oxford, Ohio; Clair L. Taylor, Supt. of Public Instruction, Lansing, Michigan; Southern Idaho Broadcasting and Television Company, Twin Falls, Idaho; E. B. Craney, Butte, Montana; Dage Television Division, Thompson Products, Inc., Michigan City, Indiana; Louis Wasmer, Spokane, Washington; Archer S. Taylor, Montana State University; General Electric Company, Schenectady, New York; Joint Committee on Educational Television, Washington, D. C., Chanticleer Broadcasting Co., New Brunswick, New Jersey; Indian River Broadcasting Co., Fort Pierce, Florida; Orange County Broadcasters, Inc., Winter Park, Florida; Western Slope Broadcasting Co., Inc., Grand Junction, Colorado; Wyoming Valley Broadcasting Co., Wilkes-Barre, Pennsylvania; Crosley Broadcasting Corp., Cincinnati, Ohio; University of Arizona, Tucson, Arizona; Seward Community TV Inc., Seward, Alaska; Chemical City Broadcasting Co., Charleston, West Virginia; Adler Communications Laboratories, New Rochelle, New York; Philco Corporation, Philadelphia, Pennsylvania; Sylvania Products, Inc., Emporium, Pennsylvania; National Association of Educational Broadcasters, Washington, D. C., WSM, Inc., Nashville, Tennessee; Frontier Broadcasting Co., Cheyenne, Wyoming; Radio-Electronics-Television Manufacturers Association, Washington, D. C., Columbia Broadcasting System, Inc., New York, New York. Numerous letters relating to this matter were also received.

[1] In response to a request filed by the UHF Industry Coordinating Committee on May 14, 1954, the time for filing comments in this proceeding was extended from May 3, 1954, to June 15, 1954, and for Replies from May 13, 1954, to June 25, 1954.

2. Comments supporting the proposed amendment were filed by Valley Telecasting Company, Green Bay, Wisconsin (WFRV–TV Channel 5) KNUZ Television Company, Houston, Texas (KNUZ–TV Channel 39) Lebanon Television Corporation, Lebanon, Pennsylvania (WLBR–TV Channel 15) Summit Radio Corporation, Akron, Ohio (WAKR–TV Channel 49) Standard Radio and Television Company, San Jose, California (KQXI, Channel 11) and Bridgeport Broadcasting Company, Bridgeport, Connecticut (WICC–TV Channel 43) Comments opposing the proposed amendment were filed by National Broadcasting Company, Inc., Columbia Broadcasting System, Inc., Allen B. DuMont Laboratories, Inc., Havens & Martin, Inc., Richmond, Virginia (WTVR, Channel 6) and The Elm City Broadcasting Corporation, New Haven, Connecticut (WNHC–TV Channel 6) Joint comments were also filed by Meredith Engineering Company, Kansas City, Missouri (KCMO–TV Channel 5) Meredith Syracuse Television Corp., Syracuse, New York (WHEN–TV Channel 8) and Meredith WOW, Inc., Omaha, Nebraska (WOW–TV Channel 6) The latter parties are of the view that the Commission's proposal is not entirely clear in several respects, and they request that a hearing be held to determine its impact upon both television broadcasters and networks. Replies to comments were filed by Gulf Television Company, Galveston, Texas (KGUL–TV Channel 11) Lebanon Television Corporation, Havens & Martin, Inc., and Summit Radio Corporation.

3. Section 3.658 (b) of the Commission's rules presently permits a television station which renders coverage to a substantial portion of the service area of a station located in another community to contract with a network to prevent the station in the other community from carrying particular network programs, even though the sponsor of the program or the network may desire that the latter station also broadcast the programs. The proposed amendment would revise the above section so as to preclude a station in one community from depriving stations in other communities of the opportunity of securing and carrying the same network programs. Under the Commission's proposal, a station would be permitted to enter into agreements with networks whereby it would be granted the first call upon network programs only in the community in which it is located.[2]

4. The parties supporting the proposed amendment urge that even though the amendment does not assure that a station located outside of a community from which another station broadcasts network programs will obtain an affiliation contract, it will permit the networks to exercise more freedom in their selection of affiliates and will give some stations a greater opportunity to obtain network programs and compete more successfully with other stations. It is argued that television stations should not be entitled to the protection of exclusive arrangements for network programs beyond the principal community they are licensed to serve and that the only sound basis for applying the "territorial exclusivity" provisions of § 3.658 (b) to television stations is by "community" rather than the "area" a station serves. It is contended that the "principal community" approach was used in the establishment of the nationwide allocation plan in contrast to that utilized in the standard broadcast service where area and populations to be served are the dominant factors; that television channels were assigned on the basis of the needs of each community without considering that a station of another city might render service to the community in question; that the present territorial exclusivity rule does not define the "area" which a station serves; that the Commission has recognized that television coverage cannot be measured accurately and has refused to permit competing applicants to claim advantage on the basis of greater coverage; and that the proposed amendment incorporating the geographic standard is necessary to give § 3.658 (b) meaning and to make it capable of application. It is urged that the proposed amendment will promote the orderly development of television service by precluding stations which carry network programs from inordinate claims of coverage—particularly when the areas are distant from the station and no community of interest exists with the other city, and the station's signal is technically inferior and does not provide a consistent and satisfactory service to such other city. It is contended that the existing rule has made it possible for network affiliated stations unreasonably and unfairly to preclude stations in other communities from obtaining network programs and affiliations; that the economic handicap of some stations has been aggravated by the restraints which have been imposed under the present rule; that the existing rule has prevented stations in communities nearby to those with affiliated stations from competing effectively for programs, for audience and for advertising revenue; and that impairment of competition among television stations in other communities by nearby network stations is contrary to the design and intent of the Commission's Sixth Report and Order and in derogation of the Commission's obligation, under the Communications Act, to promote competition in the broadcast field.

5. These parties also urge that there is no merit to the arguments advanced by the networks and the other opponents to the proposed amendment that it would lead to duplication of network programming by stations in nearby communities; that advertisers will not buy such stations; and that all stations will be deprived of a fair financial return. It is maintained that there is no evidence that duplicate programming will be encouraged by the proposal and that there is every evidence that competition among stations will be increased; that the over-riding purpose of the chain broadcasting rules is to preserve competition among stations and not to prevent duplication of service; and that special circumstances may warrant some duplicate programming, and if it should exceed desirable limits, the Commission can remedy the situation. Furthermore, it is noted that duplicate network programming would occur only if the networks agree to provide such service and that some duplicate network service is provided at the present time by affiliated stations serving substantially the same area, e. g., Providence, Rhode Island, and Boston, Massachusetts; Toledo, Ohio, and Detroit, Michigan. It is similarly asserted that there is no proof that advertisers will not buy more than one station if two or more stations in nearby communities carry the same network programs. While it is conceded that an advertiser would not pay more for two stations than he pays for one station if no greater coverage or audience is expected, the parties submit that in almost all cases greater coverage and audience would result from broadcasts by two or more stations in nearby communities and that the advertiser would pay for such greater coverage and audience. It is urged that the charge that the proposed amendment may keep stations from realizing their "full economic potential" springs from the fear that some stations may be kept from benefiting from their monopolistic economic position derived through the exclusion of other stations from the opportunity of obtaining network programs, and thus, to compete for audience and revenues.[3]

6. The parties opposing the instant proposal contend that although it represents a substantial departure from the present rule, no valid reasons have been advanced nor any need demonstrated indicating that further extension of the Commission's control over network-station relationships and their freedom to contract with each other is warranted. It is argued that the best interests of the public would not be served if identical network programs are broadcast by stations in different communities serving substantially the same area and that the proposed rule would result in inefficient use of television channels. It is main-

[2] Several of the comments filed indicate that some parties have misconstrued the application of the proposed amendment. They incorrectly interpret it as permitting a station to enter into contractual arrangements with a network covering not only the community in which it is located but also all communities within a 15-mile radius. In view of the misconstruction placed on the amendment in some of the comments, we are revising the footnote to the amendment to clarify the definition of "community"

[3] While KNUZ Television supports the proposed amendment, it maintains that no real benefit will be derived from its adoption unless § 3.658 (a) of the rules is also amended to increase the minimum signal strength required over the principal community to be served. KNUZ is of the view that such an amendment would effectively limit television stations to one principal community and would relieve the unfair competitive situations which result from permitting stations to serve more than one community. It was also suggested by Summit Radio Corporation that the proposed amendment be clarified to leave no doubt that it applies to network-owned and operated or controlled stations as well as to network-affiliated stations.

tained that the Commission's policy has been to prevent duplication of programs by stations serving substantially the same area in order to achieve maximum utilization of radio frequencies and that the instant proposal is in direct conflict with that policy· that the instant proposal ignores the fact that a station's signal does not stop at the city limits of the community in which the station is located, and that the present rule, extending protection for a station's signal to the area which can receive a serviceable signal, constitutes a commonsense standard which should not be changed by the substitution of the artificial political boundary. It is stated that the proposed amendment goes far beyond the scope of the AM rule (§ 3.102) which permits an affiliate to have first call in its primary service area, and it is argued that there is no more justification for duplication of network programming in television than in standard broadcasting nor for the circumscribing the right of first refusal of an affiliate in the one broadcast medium more than the other.

7. In addition, it is charged that the proposed amendment would cause stations to suffer economic loss, since if two stations in different communities with overlapping coverage carry the same network programs, neither station will realize its full economic potential. It is asserted that advertisers will either not buy duplicate coverage or will insist on rate adjustments to reflect the overlap in circulation, and that national spot and local business would also be adversely affected because the audience for the most salable network programs for station break announcements would be so divided that neither station would obtain a fair return. It is further claimed that the bargaining power of stations to negotiate with the networks would be weakened, and that it would be impossible for weaker stations to build themselves up through the broadcast of network programs of national prestige throughout their service areas. In this connection, it is argued that the proposed amendment might work a particular hardship on those UHF stations which have been able to secure a network affiliation, since the incentive for their potential audience to buy or convert their receivers for UHF reception may be lessened if the same network programs can be received from a VHF station in a different community but with overlapping coverage. It is also contended that duplication of network programming by stations in different communities serving substantially the same areas is not likely to result in materially increased revenue. It is likewise urged that duplicate affiliation of stations in different communities covering the same service area will lessen the ability of the smaller networks to compete, and might possibly result in their demise, thereby depriving the public of that source of network programming.

8. Those opposing the instant proposal also maintain that adoption of the proposed rule may result in no change in the network affiliation situation since the network organizations could still contract with whom they wish and undoubtedly their contractual inclinations will continue to be influenced by the economics of the situation. In instances of practically identical coverage, it is submitted that there will be no network desire or substantial sponsor demand for the presentation of the same network programs on both stations, and that the network will make a choice between the two stations so situated. One network in its comments asserts that it would be its general practice, if the proposed amendment is adopted, to continue to provide its network advertisers with unduplicated service, since it believes that such a practice best serves the public, advertisers, affiliated stations and the network itself. It is argued, however, that adoption of the proposed rule might give rise to unjustifiable claims of its violation by stations unable to secure affiliation contracts, thus imposing unnecessary burdens upon the Commission, its staff, affiliates, and the networks. Another argument advanced in opposition to the proposed amendment is that duplicate network programming under affiliation agreements with option hour provisions might lead to a circumvention of the rules. One of the parties suggests that if the proposed rule is adopted, a truly competitive situation should be made by modifying the option time rule. Another opponent of the instant proposal suggests that, rather than reducing the opportunity of stations to contract for "first call" rights to the community in which the station concerned is located, all programming exclusivity should be eliminated so that competition for the individual programs of the several networks among stations would be unfettered. It was also suggested that any change in § 3.658 (b) of the rules be limited to a more exact definition of what constitutes an area of service for applying the existing rule.

9. We have carefully reviewed the comments filed in this proceeding, and we are of the view that the relatively minor changes herein proposed to the Chain Broadcasting Rules should be adopted at this time. At this stage in the development of the television industry, network programming is essential to the profitable operation of most stations; and, in many instances, its availability may be determinative of a station's ability to survive and furnish a needed television service to the public. The obtaining of network programs is such a vital and valuable asset to stations that we believe maximum opportunity should be given to all stations to compete for network programming, and that any of our Rules which might operate to restrain competition among stations for network programming should be kept to the minimum required to protect the public interest and to insure good program service to the public. We are of the view that the present restriction in our Rules which operates to preclude stations in other communities from contracting with networks for particular network programs when a station with overlapping coverage in another community has contracted for "first call" on the same network programs is unduly restrictive on competition for network programming and is not conducive to the rapid and effective development of television service to the public.

10. In reaching this determination, we realize that the proposed amendment is no cure-all for the economic and other problems which confront many television stations today. The proposed revision makes no basic or substantial change in our rules governing stations in their relationships with the networks. It does not assure any station of network programming. All that the amendment does is to give stations greater freedom on an over-all basis in negotiating and contracting with networks and advertisers for their programs. We are hopeful that the amendment may enable some stations which have heretofore been precluded from obtaining network programming because of the "first call" rights of stations in other communities to obtain such programs. But we do not believe that the fears expressed by the parties in their oppositions that adoption of the amendment would lead to excessive duplication of programming in the same area, the demise of the smaller networks and financial hardship to all stations are substantial. For the important part that economics plays in network-station contractual relationships will continue to function. And such duplication of network programming as may occur by reason of restricting the "first call" rights of stations to the communities in which they are located, will result because additional factors present in the particular cases will convince those responsible for such duplication that it is desirable. We believe this to be consistent with the public interest considerations of enlarging competition in the television field and promoting the orderly development of television service to the public.

11. Certain parties in this proceeding have suggested that several more substantial changes in the Chain Broadcasting and other rules, i. e., the rules relating to option time, minimum signal strength, elimination of all program exclusivity, should be adopted. We believe that rule-making proposals such as these which would involve major changes in our rules governing stations in their relationships with the networks and each other can be considered more adequately after we have completed the study of station-network practices and policies which we hope to undertake in the near future. We further believe that the parties requesting a full public hearing on the proposed amendment have made no showing that such a hearing would serve any useful purpose or would be of any help to us in reaching a decision on the matter. While it is alleged that the proposed amendment is not clear in several respects, the only allegation made in support thereof is that the rule does not define "first call" or indicate the duration of "first call" rights of stations on network programs. We see no need in holding a hearing to clarify this matter. The proposed amendment makes no change from the present rule in this respect. Since the existing rule does not define or limit the duration of the "first call" rights of stations on network programs, the duration of such rights is determined by the

contractual arrangements made by stations with the networks. We are also of the view that there is no necessity to clarify the proposed amendment to indicate specifically that it applies to network owned and operated or controlled stations, as suggested by Summit Radio Corporation, since the amendment clearly applies to all television broadcast stations.

12. In view of the foregoing considerations and determinations and pursuant to the authority contained in sections 1 and 303 (i) and (r) of the Communications Act of 1934, as amended: *It is ordered,* That, effective August 1, 1955, § 3.658 (b) of the Commission's rules is amended, to read as follows:

(b) *Territorial exclusivity.* No license shall be granted to a television broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization which prevents or hinders another broadcast station located in the same community from broadcasting the network's programs not taken by the former station, or which prevents or hinders another broadcast station located in a different community from broadcasting any program of the network organization. This section shall not be construed to prohibit any contract, arrangement, or understanding between a station and a network organization pursuant to which the station is granted the first call in its community upon the programs of the network organization. As employed in this paragraph, the term "community" is defined as the community specified in the instrument of authorization as the location of the station.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082 as amended; 47 U. S. C. 303)

Adopted: June 22, 1955.

Released: June 24, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-5181; Filed, June 28, 1955; 8:52 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 713—PLASTICS PRODUCTS INDUSTRY IN PUERTO RICO

MINIMUM WAGE ORDER

Correction

In Federal Register Document 55-5062, appearing at page 4442 of the issue for Friday, June 24, 1955, subdivision (iv) of § 713.4 (a) (1) should read: "(iv) the manufacture from pliable plastics in sheet or film form of ornaments and decorations for Christmas and other holidays, party favors and souvenirs, and similar items primarily ornamental or decorative in character;"

PROPOSED RULE MAKING

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

NOTICE OF WITHDRAWAL OF PETITION AND FILING OF AMENDED PETITION FOR ESTABLISHMENT OF TOLERANCES FOR RESIDUES OF 2-(*p*-TERT-BUTYLPHENOXY)-ISOPROPYL-2-CHLOROETHYL SULFITE

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act, as amended (sec. 408 (d) (1) 68 Stat. 512; 21 U. S. C. 348 (d) (1)), the following notice is issued:

In accordance with the regulations concerning tolerances and exemptions from tolerances for pesticide chemicals on raw agricultural commodities (21 CFR 120.8) the United States Rubber Company, 1230 Avenue of the Americas, New York 20, New York, withdrew its petition for establishing tolerances for residues of 2-(*p-tert*-butylphenoxy)-isopropyl-2-chloroethyl sulfite, a miticide commonly called Aramite, at 5 parts per million for certain designated crops and at 2 parts per million for other designated crops (20 F. R. 1177) In lieu of the withdrawn petition, the United States Rubber Company has filed an amended petition proposing that tolerances for residues of 2-(*p-tert*-butylphenoxy)-isopropyl-2-chloroethyl sulfite be established at 1 part per million on the following raw agricultural commodities: Alfalfa, apples, blueberries, cantaloup, celery, cucumbers, grapes, grapefruit, lemons, muskmelon, oranges, peaches, pears, plums, soybeans, sweet corn, tomatoes, watermelons, green beans, raspberries, strawberries.

Dated: June 23, 1955.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 55-5173; Filed, June 28, 1955; 8:50 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 40, 41, 42]

[Draft Release 55-16]

APPLICABILITY OF CONTROL OF ENGINE ROTATION AND INSTRUMENTATION REQUIREMENTS TO TURBINE-POWERED AIRPLANES

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board amendments to Parts 40, 41, and 42 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration before taking further action on the proposed rules, communications must be received by July 13, 1955. Copies of such communications will be available after July 15, 1955, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

The current engine rotation requirements and the engine instrument and equipment requirements prescribed in Parts 40, 41, and 42 of the Civil Air Regulations are not entirely appropriate for turbine-powered airplanes for the reason that these requirements are generally applicable only to reciprocating engines, which until the present time have been the only engines installed in the airplanes being operated under these parts. Since it is anticipated that airplanes with turbine engines will be introduced into air transportation in the immediate future, it is proposed to revise the aforementioned engine rotation and engine instrument and equipment requirements so as to render them compatible with the characteristics of turbine-powered airplanes.

Currently effective §§ 40.150, 41.20 (d), and 42.13 of Parts 40, 41, and 42, respectively, require that airplanes be provided with means for stopping engine rotation in flight. However, on the basis of current information, it does not appear that the extremely slow rotation of feathered propellers of some turbopropeller airplanes will jeopardize safety. On the contrary, to stop the propeller completely will, in some instances, either involve additional hazards or require unduly burdensome modifications. Similarly, the rotation of a turbo-jet engine, following engine failure, may not be as hazardous as would be stopping the engine completely in flight. This proposed amendment would, therefore, require means for stopping rotation on turbine engine installations only if such rotation could jeopardize the safety of the airplane.

Currently effective §§ 40.172, 41.25, and 42.21 of Parts 40, 41, and 42, respectively, require the installation of specified engine instruments and equipment. Although required instruments and equipment can be installed on reciprocating engine airplanes, it is clear that some are not appropriate for turbine-powered airplanes. It is recognized, however, that turbine engines may require instrumentation or equipment different from that for which provision is made in §§ 40.172, 41.25, and 42.21. In view of the limited experience in air carrier operations with such engines, it is believed desirable that a determination as to what different instrumentation or equipment may be required

should, for the present, be made by the Administrator. Therefore, this proposed amendment would permit the Administrator to establish instrument and equipment requirements for turbine-powered airplanes different from those currently specified in the Civil Air Regulations for reciprocating engine airplanes.

In view of the foregoing, notice is hereby given that it is proposed to amend Parts 40, 41 and 42 of the Civil Air Regulations as follows:

1. By amending §40.150 to read as follows:

§ 40.150 *Control of engine rotation.* All airplanes shall be provided with means for individually stopping and restarting the rotation of any engine in flight, except that for turbine engine installations means for stopping the rotation need be provided only if the Administrator finds that such rotation could jeopardize the safety of the airplane.

2. By amending the introductory sentence of § 40.172 to read as follows:

§ 40.172 *Engine instruments for all operations.* The following engine instruments are required for all operations, except that the Administrator may permit or require different instrumentation for turbine-powered aircraft to provide equivalent safety·

3. By amending § 41.20 (d) to read as follows:

§ 41.20 *General.* * * *

(d) Multiengine airplanes shall be so equipped that engine rotation may be promptly stopped during flight, except that for turbine engine installations means for stopping the rotation need be provided only if the Administrator finds that such rotation could jeopardize the safety of the airplane.

4. By amending § 41.25 by amending the sentence immediately preceding the itemized list to read as follows:

§ 41.25 *Instruments and equipment required for continuance of flight.* * * *

The items listed in this section are required for all types of operation unless otherwise specified, except that the Administrator may permit or require different instrumentation or equipment for turbine-powered aircraft to provide equivalent safety·

5. By amending § 42.13 to read as follows:

§ 42.13 *Engine rotation.* Multiengine aircraft having any engine rated at more than 480 h. p. for maximum continuous operation shall be so equipped that the rotation of each such engine can be stopped promptly in flight, except that for turbine engine installations means for stopping the rotation need be provided only if the Administrator finds that such rotation could jeopardize the safety of the aircraft.

6. By amending the introductory sentence of § 42.21 of Part 42 to read as follows:

§ 42.21 *Basic required instruments and equipment for aircraft.* The following instruments and equipment acceptable to the Administrator for the type of operations specified shall be installed and in serviceable condition in all aircraft, except that the Administrator may permit or require different instrumentation or equipment for turbine-powered aircraft to provide equivalent safety·

These amendments are proposed under authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in light of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601–610, 52 Stat. 1007–1012, as amended; 49 U. S. C. 551–560)

Dated at Washington, D. C., June 23, 1955.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director

[F. R. Doc. 55-5176; Filed, June 28, 1955; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 11433; FCC 55-705]

TELEVISION BROADCAST STATIONS

INCREASE OF MAXIMUM EFFECTIVE RADIATED POWER

In the matter of amendment of Part 3 of the Commission's rules and regulations to increase the maximum effective radiated power for television stations on Channels 14–83; Docket No. 11433.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission is concerned with the maximum utilization of its television broadcast frequencies and with methods for achieving this goal. In this connection, the Commission has been considering its rules relating to the maximum power for UHF television stations.

3. In its Third Notice of Rule Making issued in the last allocation proceeding (Docket No. 8736 et al.) the Commission proposed a maximum power of 200 kw (23 dbk) for Channels 7–13 and Channels 14–83. However, comments were submitted in that proceeding indicating that an amplifier with 25 kw was feasible and practicable on the UHF And it was contended that such an amplifier would provide a radiated power of 400 kw (26 dbk) In the Sixth Report and Order finalizing that proceeding, the Commission stated that in order to attempt to equalize the service areas of stations operating on the UHF and VHF bands, it would be necessary to increase the maximum power for the upper-band VHF Channels 7–13 and for the UHF Channels 14–83. Consequently, the Commission provided for a maximum power of 100 kw (20 dbk) for Channels 2–6, 316 kw (25 dbk) for Channels 7–13, and 1000 kw (30 dbk) for Channels 14–83. In establishing 1 megawatt as a maximum for the UHF, the Commission stated that while it recognized such power might not be immediately available, it believed that it should provide for such power since it felt confident that developments in the art would eventually achieve this goal.

4. The Commission believes that the public interest would be served by increasing the maximum permissible power for UHF stations in order that the viewing public may receive the best possible service that the state of the art permits. In this connection, the industry has now developed amplifiers which make it possible to attain 1000 kw effective radiated power on the UHF band. Indeed, stations employing such high power are now in operation. Other amplifiers are presently being developed which will be capable of operating at still higher outputs, and the development of such amplifiers will permit the transmission of signals of greater strength, with still stronger signals received by the viewing public.

5. In view of the further developments in the state of the art, and as an additional step in bringing to the viewers the best possible television service, the Commission is proposing to amend its rules to increase the maximum permissible effective radiated power for UHF stations from 1000 kw (30 dbk) to 5000 kw (37 dbk)

6. Although the Commission is proposing to increase the maximum radiated power for UHF stations, such action does not contemplate that UHF receivers should be less satisfactory than at present. Rather, the Commission is desirous that every effort be made to produce and market still better sets in order that the viewing public may enjoy better reception. In this connection, we believe that information concerning the sensitivity of UHF sets and the tuning mechanisms of such sets would be pertinent to this proceeding. The Sixth Report and Order established 74 db and 64 db as a required median field strength in db above 1 uv/m for UHF Grade A and Grade B service, respectively. These UHF field strengths were based on various assumptions: The receiver noise figure was assumed at 15 db, the transmission line loss at 5 db, and the antenna gain at 13 db compared with a half-wave dipole.

7. In order that the Commission may have the benefit of current information relating to the present status of UHF sets, it desires that interested parties submit comments in this proceeding relating to this matter. Comments on this phase of the proceeding should direct their attention to UHF receivers in three categories: (1) UHF receivers manufactured prior to 1955, (2) UHF receivers manufactured during 1955, and (3) UHF receivers to be manufactured next year.

8. In addition to the foregoing, the Commission desires that the comments submitted in this proceeding present information and data as to the present state of the art with respect to the following matters:

(a) Receiver noise figures.

(b) Transmission line losses.

(c) Data relating to gain of receiving antennas.

(d) Information as to improvements in UHF sets, such as ease of tuning.

(e) The expected increase in cost to the consumer that would result from improving set preformance.

(f) Measurement data with respect to the propagation of UHF signals.

9. In view of the above, the Commission is proposing to amend its rules as follows:

I. It is proposed to delete the expression "30 dbk (1000 kw)" appearing in § 3.614 (b) and to substitute the following: "37 dbk (5000 kw)"

II. It is proposed to delete in Appendix III, Figures 2 (a) and 2 (b) and substitute new Figures 2 (a) and 2 (b) with the Channel 14–83 curves displaced +7 dbk.

10. Authority for the issuance of the proposed amendments is vested in the Commission under sections 303 (a) (b) (c) (e) (f) (g) (h) and (r) and 4 (i) of the Communications Act of 1934, as amended.

11. Any interested party who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before September 1, 1955, a written statement or brief setting forth his comments. Comments in support of the proposed amendments may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last date for filing said original comments or briefs. No additional comments may be filed unless (1) specifically requested by the Commission or (2) good cause for the filing of such additional comments is established. The Commission will consider such comments before taking final action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

12. In accordance with the provisions of Section 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: June 22, 1955.

Released: June 24, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-5182; Filed, June 23, 1955; 8:52 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

STATEMENT OF ORGANIZATION

FIELD SERVICE

Effective July 1, 1955, the following amendments to the Statement of Organization of the Immigration and Naturalization Service (19 F R. 8071, December 8, 1954; 20 F R. 466, January 20, 1955) are prescribed:

1. Paragraph (c) of section 1.51 is amended to read as follows:

(c) *Suboffices.* Suboffices are located at the following places; each has the responsibility of handling cases in the area assigned in paragraph (d)

Albany, N. Y.	Newark, N. J.
Albuquerque, N. Mex.	New Orleans, La.
Anchorage, Alaska.	Omaha, Nebr.
Atlanta, Ga.	Pittsburgh, Pa.
Baltimore, Md.	Portland, Oreg.
Cincinnati, Ohio.	Portland, Maine.
Cleveland, Ohio.	Providence, R. I.
Dallas, Tex.	Reno, Nev.
Denver, Colo.	St. Albans, Vt.
Hammond, Ind.	St. Louis, Mo.
Hartford, Conn.	St. Paul, Minn.
Helena, Mont.	Salt Lake City, Utah.
Honolulu, T. H.	San Diego, Calif.
Houston, Tex.	San Juan, P. R.
Kansas City, Mo.	Spokane, Wash.
Los Angeles, Calif.	Tucson, Ariz.
Memphis, Tenn.	Washington, D. C.
Milwaukee, Wis.	

2. Paragraph (d) of section 1.51 is added to read as follows:

(d) *Area.* In the administration and enforcement of the immigration, naturalization, and nationality laws, district offices and suboffices have the responsibility of handling cases arising in the areas which are assigned to the respective offices as follows:

Alabama:
  Atlanta, Ga.
Alaska:
  Anchorage, Alaska.
Arizona:
  Tucson, Ariz.
Arkansas:
  Memphis, Tenn.
California:
  Los Angeles, Calif. (Counties of Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura.)
  San Diego, Calif. (Counties of Imperial and San Diego.)
  San Francisco, Calif. (Counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, Eldorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba.)
Colorado:
  Denver, Colo.
Connecticut:
  Hartford, Conn.
Delaware:
  Philadelphia, Pa.
District of Columbia:
  Washington, D. C.
Florida:
  Miami, Fla.
Georgia:
  Atlanta, Ga.
Guam:
  Honolulu, T. H.
Hawaii:
  Honolulu, T. H.
Idaho:
  Portland, Oreg.
Illinois:
  Chicago, Ill.
Indiana:
  Hammond, Ind.
Iowa:
  Omaha, Nebr.
Kansas:
  Kansas City, Mo.
Kentucky:
  Cincinnati, Ohio.
Louisiana:
  New Orleans, La.
Maine:
  Portland, Maine.
Maryland:
  Baltimore, Md.
Massachusetts:
  Boston, Mass.
Michigan:
  Detroit, Mich.
Minnesota:
  St. Paul, Minn.
Mississippi:
  New Orleans, La.
Missouri:
  Kansas City, Mo. (Counties of Andrew, Atchinson, Barry, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Camden, Carroll, Cass, Cedar, Christian, Clay, Clinton, Cole, Cooper, Dade, Dallas, Davies, De Kalb, Douglas, Gentry, Greene, Grundy, Harrison, Henry, Hickory, Holt, Howard, Howell, Jackson, Jasper, Johnson Laclede, Lafayette, Lawrence, Livingston, McDonald, Mercer, Miller, Moniteau, Morgan, Newton, Nodaway, Oregon, Osage, Ozark, Pettis Platte, Polk, Pulaski, Putnam, Ray, Saint Clair, Saline, Stone, Sullivan, Taney, Texas, Vernon, Webster, Worth, and Wright.)
  St. Louis, Mo. (Counties of Adair, Audrain, Bollinger, Butler, Cape Girardeau, Carter, Charitan, Clark, Crawford, Dent, Dunklin, Franklin, Gasconade, Iron, Jefferson, Knox, Lewis, Lincoln, Linn, Macon, Madison, Maries, Marion, Mississippi, Monroe, Montgomery, New Madrid, Pemiscot, Perry, Phelps, Pike, Ralls, Randolph, Reynolds, Ripley, Saint Charles, Sainte Genevieve, Saint Francois, Saint Louis, Schuyler, Scotland, Scott, Shannon, Shelby, Stoddard, Warren, Washington, and Wayne; and St. Louis City.)
Montana:
  Helena, Mont.
Nebraska:
  Omaha, Nebr.
Nevada:
  Reno, Nev.
New Hampshire:
  Boston, Mass.
New Jersey:
  Newark, N. J.
New Mexico:
  Albuquerque, N. Mex.
New York:
  Albany, N. Y. (Counties of Albany, Broome, Chenango, Delaware, Fulton, Hamilton, Herkimer, Madison, Montgomery, Oneida, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Tioga, Warren, and Washington.)

Buffalo, N. Y. (Counties of Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Clinton, Cortland, Erie, Essex, Franklin, Genessee, Jefferson, Lewis, Livingston, Monroe, Niagara, Onondaga, Ontario, Orleans, Oswego, St. Lawrence, Schuyler, Seneca, Steuben, Tompkins, Wayne, Wyoming, and Yates.)

New York City, N. Y. (Counties of Bronx, Columbia, Dutchess, Greene, New York, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester, Kings, Nassau, Queens, Richmond, and Suffolk.)

North Carolina:
Washington, D. C.

North Dakota:
St. Paul, Minn.

Ohio:
Cincinnati, Ohio. (Counties of Adams, Athens, Auglaize, Belmont, Brown, Butler, Carroll, Champaign, Clark, Clermont, Clinton, Columbiana, Coshocton, Darke, Delaware, Fairfield, Fayette, Franklin, Gallia, Greene, Guernsey, Hamilton, Hardin, Harrison, Highland, Hocking, Holmes, Jackson, Jefferson, Knox, Lawrence, Licking, Logan, Madison, Marion, Meigs, Mercer, Miami, Monroe, Montgomery, Morgan, Morrow, Muskingum, Noble, Perry, Pickaway, Pike, Preble, Ross, Scioto, Shelby, Tuscarawas, Union, Vinton, Warren, and Washington.)

Cleveland, Ohio. (Counties of Allen, Ashland, Ashtabula, Crawford, Cuyahoga, Defiance, Erie, Fulton, Geauga, Hancock, Henry, Huron, Lake, Lorain, Lucas, Mahoning, Medina, Ottawa, Paulding, Portage, Putnam, Richland, Sandusky, Seneca, Stark, Summit, Trumbull, Van Wert, Wayne, Williams, Wood, and Wyandot.)

Oklahoma:
Dallas, Tex.

Oregon:
Portland, Oreg.

Pennsylvania:
Philadelphia, Pa. (Counties of Adams, Bradford, Berks, Bucks, Carbon, Chester, Columbia, Cumberland, Dauphin, Delaware, Franklin, Fulton, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York.)

Pittsburgh, Pa. (Counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Centre, Clarion, Clearfield, Clinton, Crawford, Elk, Erie, Fayette, Forest, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Potter, Somerset, Venango, Warren, Washington, and Westmoreland.)

Puerto Rico:
San Juan, P. R.

Rhode Island:
Providence, R. I.

South Carolina:
Atlanta, Ga.

South Dakota:
St. Paul, Minn.

Tennessee:
Memphis, Tenn.

Texas:
Dallas, Tex. (Counties of Anderson, Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Bosque, Bowie, Briscoe, Camp, Carson, Cass, Castro, Cherokee, Childress, Clay, Cochran, Collin, Collingsworth, Comanche, Cooke, Cottle, Crosby, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, Dickens, Donley, Eastland, Ellis, Erath, Fannin, Fisher, Floyd, Foard, Franklin, Freestone, Gaines, Garza, Gray, Grayson, Gregg, Hale, Hall, Hamilton, Hansford, Hardeman, Harrison, Hartley, Haskell, Hemphill, Henderson, Hill, Hockley, Hood, Hopkins, Houston, Howard, Hunt, Hutchinson, Jack, Johnson, Kaufman, Kent, King, Knox, Lamar, Lamb, Leon, Limestone, Lipscomb, Lubbock, Lynn, Marion, Martin, Mitchell, Montague, Moore, Morris, Motley, Navarro, Nolan, Ochiltree, Oldham, Palo Pinto, Panola, Parker, Parmer, Potter, Rains, Randall, Red River, Roberts, Rockwell, Rusk, Scurry, Shackelford, Sherman, Smith, Somervall, Stephens, Stonewall, Swisher, Tarrant, Terry, Throckmorton, Titus, Upshur, Van Zandt, Wheeler, Wichita, Wilbarger, Wise, Wood, Yoakum, and Young.)

El Paso, Tex. (Counties of Brewster, Crane, Culberson, Ector, El Paso, Hudspeth, Jeff Davis, Loving, Midland, Pecos, Presidio, Reeves, Terrell, Upton, Ward, and Winkler.)

Houston, Tex. (Counties of Angelina, Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Grimes, Hardin, Harris, Jasper, Jefferson, Liberty, Madison, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Walker, Waller, Washington, and Wharton.)

San Antonio, Tex. (Counties of Aransas, Atascosa, Bandera, Bastrop, Bee, Bell, Bexar, Blanco, Brazos, Brooks, Brown, Burleson, Burnet, Caldwell, Calhoun, Callahan, Cameron, Coke, Coleman, Comal, Concho, Coryell, Crockett, De Witt, Dimmit, Duval, Edwards, Falls, Fayette, Frio, Gillespie, Glasscock, Goliad, Gonzales, Guadalupe, Hays, Hidalgo, Iron, Jackson, Jim Hogg, Jim Wells, Jones, Karnes, Kendall, Kenedy, Kerr, Kimble, Kinney, Kleberg, Lampasas, La Salle, Lavaca, Lee, Live Oak, Llano, McCulloch, McLennan, McMullen, Mason, Maverick, Medina, Menard, Milam, Mills, Nueces, Reagan, Real, Refugio, Robertson, Runnels, San Patricio, San Saba, Schleicher, Starr, Sterling, Sutton, Taylor, Tom Green, Travis, Uvalde, Val Verde, Victoria, Webb, Willacy, Williamson, Wilson, Zapata, and Zavala.)

Utah:
Salt Lake City, Utah.

Vermont:
St. Albans, Vt.

Virginia:
Washington, D. C.

Virgin Islands:
San Juan, P. R.

Washington:
Seattle, Wash. (Counties of Chelan, Clallum, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Klickitat, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, Whatcom, and Yakima.)

Spokane, Wash. (Counties of Adams, Asotin, Benton, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Lincoln, Okanogan, Pond Orelle, Spokane, Stevens, Walla Walla, and Whitman.)

West Virginia:
Pittsburgh, Pa.

Wisconsin:
Milwaukee, Wis.

Wyoming:
Helena, Mont.

Dated: June 23, 1955.

J. M. SWING,
Commissioner of Immigration and Naturalization.

[F. R. Doc. 55-5163; Filed, June 28, 1955; 8:48 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

SOUTH DAKOTA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The Department of Agriculture, Forest Service, has filed an application, Serial No. BLM 033459 (SD), for the withdrawal of the lands described below, from location and entry under the General Mining Laws.

The applicant desires the land for use of the Harney National Forest in South Dakota as The Pilger Mountain Lookout.

For a period of thirty days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, 1245 North 29th Street, Billings, Montana.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

BLACK HILLS MERIDIAN

PILGER MOUNTAIN LOOKOUT

T. 7 S., R. 2 E.,
Sec. 4: Lots 3 and 4.

The area contains 20.87 acres.

R. D. NIELSON,
State Supervisor

JUNE 21, 1955.

[F. R. Doc. 55-5153; Filed, June 28, 1955; 8:45 a. m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce

[Case 109]

N. V NEDERLANDS TRANSPORT BUREAU AND LEOPOLD KOLISCH

ORDER CONDITIONALLY RESTORING EXPORT PRIVILEGES AND GRANTING OTHER RELIEF

In the matter of N. V Van Uden's Transport Bureau, now known as N. V Nederlands Transport Bureau and Leopold Kolisch, Willemskade 17, Rotterdam, Holland; Case No. 109.

N. V. Nederlands Transport Bureau, formerly known as N. V. Van Uden's Transport Bureau, and Leopold Kolisch, its Director, having duly applied for a termination of the Order of the Office of International Trade, dated September 24, 1951, published in 16 F R. 10088, on October 3, 1951, affirmed by the Appeals Board, 18 F R. 1897, and said application having been referred to a Compliance Commissioner of the Bureau of Foreign Commerce, and the Compliance Commissioner having duly considered the same and filed his report and recommendation, together with the record constituting said application, with the undersigned Director, Office of Export Supply,

Now, after reading said application, the report and recommendation, and all papers submitted in connection therewith and being of the opinion that the proposals and undertakings given by the respondents will aid in the effective enforcement of the Export Control Act provided that the respondents comply therewith in good faith and being also of the opinion that respondents are now well aware of the substance of the Export Control Act and the regulations promulgated thereunder, as well as of their obligations as forwarding agents engaged in business in The Netherlands:

It is hereby ordered, That (a) Decretal Paragraph 5 of the order dated September 24, 1951, providing for the disassociation of respondent Kolisch from respondent N. V Nederlands Transport Bureau as a condition for relief from said order, be and the same hereby is vacated;

And it is further ordered, That (b) the export privileges denied to the respondents herein, by Decretal Paragraphs 2 and 3 of said order dated September 24, 1951, be and the same hereby are restored to them subject to the provision set forth in Paragraph (d) hereof;

And it is further ordered, That (c) to the extent that reference is made to the respondents in Decretal Paragraphs 4 and 6 of said order dated September 24, 1951, such references shall henceforth have no force or effect unless this order be vacated as hereinafter provided;

And it is further ordered, That (d) if the Bureau of Foreign Commerce shall decide, from evidence presented to it, without prior notice or hearing, that the respondents or either of them, or their officers or employees, at any time prior to 12 o'clock midnight, U. S. Eastern Standard Time, March 31, 1956, have knowingly violated, within the principle of their application herein, any United States Export Control Regulation, then and in that event it may summarily vacate Paragraphs (a) (b) and (c) hereof, and said order of September 24, 1951, shall be and continue to be in full force and effect as though this order had not been made;

And it is further ordered, That (e) said order of September 24, 1951, except as hereby modified and except as, by the Order of January 31, 1955, 20 F R. 775, it was modified with respect to Italian Nova Works, be and continue in full force and effect.

Dated: March 31, 1955.

JOHN C. BORTON,
Director
Office of Export Supply.

[F. R. Doc. 55-5167; Filed, June 28, 1955; 8:49 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11163; FCC 55-697]

VILLAGE BROADCASTING CO. (WOPA)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Richard Goodman, Mason Loundy and Egmond Sonderling, a partnership d/b as Village Broadcasting Company (WOPA) Oak Park, Illinois, Docket No. 11163, File No. BP-9271, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 22d day of June 1955;

The Commission having under consideration the above-entitled application for a construction permit to change the transmitter location of Station WOPA, Oak Park, Illinois, from on roof of Oak Park Hotel, Oak Park Avenue and Washington Boulevard, Oak Park, Illinois, to 4723 West Madison Street, Chicago, Illinois; and specify remote control point as 408 S. Oak Park Avenue, Oak Park, Illinois; and

It appearing, that the applicant is legally, technically, financially and otherwise qualified, except as set forth below, to operate Station WOPA as proposed, but that the application would not comply with the Commission's Standards of Good Engineering Practice in that it would not provide a minimum field intensity of 25 mv/m over the business area of the City of Oak Park and would only provide interference-free nighttime service to approximately 37.5 percent of the city of Oak Park; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the applicant was advised by letter dated April 28, 1955 of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of the application would be in the public interest; and

It further appearing, that in a timely reply filed by the applicant it was contended that in spite of the above deficiencies a grant of the application would serve the public interest; and

It further appearing, that the Commission, after consideration of the reply, is of the opinion that a hearing is necessary;

It is ordered, That pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designed for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WOPA, and the availability of other primary service to such areas and populations.

2. To determine whether the proposed operation of Station WOPA would provide a minimum field intensity of 25 mv/m over the business area of the city of Oak Park, Illinois, in accordance with section 4 of the Standards of Good Engineering Practice.

3. To determine whether the installation and operation of Station WOPA as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to providing adequate nighttime coverage of the city of Oak Park, Illinois.

4. To determine whether, in the light of evidence adduced under the foregoing issues, a grant of the application would be in the public interest.

Released: June 24, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-5183; Filed, June 28, 1955; 8:53 a. m.]

[Docket No. 11230; FCC 55M-557]

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS (WOI)

ORDER CONTINUING HEARING

In re application of Iowa State College of Agriculture and Mechanic Arts (WOI) Ames, Iowa, Docket No. 11290, File No. BSSA-276; for special service authorization to operate additional hours from 6:00 a. m. to local sunrise, c. s. t., with 1 kw.

The Hearing Examiner having under consideration a motion to amend procedural schedule and to postpone hearing date filed on June 22, 1955, by counsel for Earle C. Anthony, Inc., licensee of Station KFI, party to this proceeding;

It appearing that good cause has been shown for the requested postponement and that counsel for the Broadcast Bureau and counsel for Iowa State College of Agriculture and Mechanic Arts (WOI) have consented to the suggested continuance and to waiver of the four-day rule;

It is ordered, This 23d day of June 1955, that the motion of Station KFI is granted and that the date for commencement of hearing is continued from July 6, 1955, to September 7, 1955; and

It is further ordered, That the exchange of written direct cases is continued from June 27, 1955, to August 29, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-5184; Filed, June 28, 1955; 8:53 a. m.]

[Docket No. 11371; FCC 55M-566]

DEEP SOUTH BROADCASTING CO. (WSLA)

ORDER CONTINUING HEARING

In re application of Deep South Broadcasting Company (WSLA) Selma, Alabama, Docket No. 11371, File No. BMPCT-2100; for modification of construction permit.

The Hearing Examiner having under consideration the question of continuing the date for commencement of hearing;

It appearing that this proceeding was continued to June 28, 1955, by order of the Hearing Examiner on June 13, 1955, because of the pendency of a number of petitions to intervene and that sound reasons make it imperative that the hearing not be commenced until it is known definitely whether such petitions and a further petition to enlarge the issues will be granted or denied; and

It further appearing that at this date no action has been taken upon the above-mentioned petitions:

It is ordered, This 23d day of June 1955, on the motion of the Hearing Examiner, that the date for commencing the hearing is continued from June 28, 1955, to July 18, 1955, at 10:00 a. m. in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-5185; Filed, June 28, 1955; 8:53 a. m.]

[Docket No. 11415; FCC 55-688]

KOSSUTH COUNTY BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Kossuth County Broadcasting Company, Inc., Algona, Iowa, Docket No. 11415, File No. BP-9645 for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 22d day of June 1955;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on 970 kilocycles with a power of 500 watts, directional antenna daytime only at Algona, Iowa,

It appearing, that the applicant is legally, technically, financially and otherwise qualified, except as may appear from the issues specified below, to operate the proposed station, and that the amendment to the application of May 11, 1955, eliminates the interference to Station WHA, Madison, Wisconsin but that the proposed operation may still involve interference with stations KAYL, Storm Lake, Iowa; and KMA, Shenandoah, Iowa, and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicant was advised by letter dated April 12, 1955 of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of the application would be in the public interest; and

It further appearing, that the applicant filed a timely reply and

It further appearing, that Stations KMA and KAYL, on February 14, and February 25, 1955, respectively, requested that the subject application be designated for hearing on grounds of the above-described interference; and

It further appearing, that the Commission, after consideration of the above-referenced reply by the applicant, is of the opinion that a hearing is necessary

It is ordered, That pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the proposed station would involve objectionable interference with Stations KAYL, Storm Lake, Iowa, and KMA, Shenandoah, Iowa; or any other existing station, and, if so, the nature and extent thereof, the areas and populations affected thereby, the availability of other primary service to such areas and populations.

3. To determine whether, in light of the evidence adduced under the foregoing issues, a grant of the application would be in the public interest.

It is further ordered, That the May Broadcasting Company, licensee of Station KMA, Shenandoah, Iowa; and The Cornbelt Broadcasting Company, licensee of Station KAYL, Storm Lake, Iowa are made parties to the proceeding.

Released: June 24, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-5186; Filed, June 28, 1955; 8:53 a. m.]

[Docket Nos. 11419, 11420; FCC 55-692]

WALTER N. NELSKOG AND SKAGIT BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Walter N. Nelskog, Everett, Washington, Docket No. 11419; File No. BP-9282; C. H. Fisher and Edna E. Fisher, a partnership d/b as Skagit Broadcasting Company, Anacortes, Washington, Docket No. 11420, File No. BP-9706; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 22d day of June 1955,

The Commission having under consideration the above-entitled applications for construction permits for new standard broadcast stations to operate on 1340 kilocycles with a power of 250 watts, unlimited time, by Walter N. Nelskog and the Skagit Broadcasting Company at Everett, Washington, and Anacortes, Washington, respectively

It appearing, that the Skagit Broadcasting Company is legally, technically, financially and otherwise qualified; and that Walter N. Nelskog is legally, technically and otherwise qualified, except as may appear from the issues specified below, to operate the stations as proposed; but that operation of both stations as proposed would result in mutually prohibitive interference and that Walter N. Nelskog is not financially qualified to construct and operate the proposed station; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicants were advised by letter dated March 10, 1955, of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of either application would be in the public interest; and

It further appearing, that timely replies to the Commission's letter were received from both applicants; and

It further appearing, that the Commission, after consideration of the replies is of the opinion that a hearing is necessary

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the operations proposed by Walter N. Nelskog and the Skagit Broadcasting Company and the availability of other primary service to such areas and populations.

2. To determine whether Walter N. Nelskog is financially qualified to construct and operate his subject proposed station.

3. To determine in the light of section 307 (b) of the Communications Act of 1934, as amended, which of the applications, if granted, would better provide a fair, efficient and equitable distribution of radio service.

4. To determine, in light of the evidence adduced under the foregoing issues which, if either, of the applications should be granted.

It is further ordered, That the issues in the above-entitled proceeding may be enlarged by the Examiner on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issues with respect to the subject application of the Skagit Broadcasting Company To determine whether funds available to the applicant will give reasonable assurance that the proposal set forth in the application will be effectuated.

Released: June 24, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-5189; Filed, June 28, 1955; 8:54 a. m.]

[Mexican Change List 180]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES AND CORRECTIONS IN ASSIGNMENTS

JUNE 6, 1955.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations modifying the appendix containing assignments of Mexican Broadcast Stations (Mimeograph 47214-6) attached to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

Call letters	Location	Power (kw)	Antenna	Schedule	Class	Probable date of operation
		710 kilocycles				
XEON	Tuxtla Gutierrez, Chiapas (increase power).	2 kw D/1 kw N	ND	U	II	Sept. 6, 1955
		910 kilocycles				
XEMW	Monclova, Coahuila (change to 970 kc).	500 w		D	III	June 6, 1955
		940 kilocycles				
XEWV	Mexicali, Baja California (commenced operation).	1 kw	ND	D	II	Mar. 7, 1955
		970 kilocycles				
XEMW	Monclova, Coahuila (decrease power, previously 910 kc).	150 w		U	IV	June 6, 1955
		1200 kilocycles				
XELC	La Piedad, Michoacan (change time of operation, previously 1600 kc).	5 kw	ND	D	II	July 6, 1955
		1250 kilocycles				
XESJ	Saltillo, Coahuila (increase power)	1 kw D/500 w N	ND	U	III-B	September 6, 1955.
		1260 kilocycles				
XEII	Ciudad Valles, San Luis Potosi (change in location and increase power, previously in Ciudad del Maiz, S. L. P.).	1 kw	ND	D	III	December 6, 1955.
		1340 kilocycles				
XESL	San Luis Potosi, San Luis Potosi (increase power).	500 w D/250 w N	ND	U	IV	September 6, 1955.
		1380 kilocycles				
XERK	Tepic, Nayarit (increase power)	1 kw D/500 w N	ND	U	III-B	Do.
		1400 kilocycles				
XEYJ	Nueva Rosita, Coahuila (commenced operation).	500 w D/150 w N		U	IV	May 1, 1955.
		1600 kilocycles				
XELC	La Piedad, Michoacan (changed to 1200 kilocycles).	5 kw D/1 kw N		U	III-A	July 6, 1955.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
MARY JANE MORRIS,
Secretary.

[F. R. Document 55-5192; Filed, June 28, 1955; 8:54 a. m.]

[Change List 16]

DOMINICAN BROADCAST STATIONS

NOTIFICATION OF NEW STATIONS AND CHANGES IN EXISTING STATIONS

NOVEMBER 13, 1954.

Notification of new Dominican Broadcasting Stations, and of changes in or deletions of existing stations, made in conformity with Part III, Section II of the North American Regional Broadcasting Agreement, Washington, D. C., 1950.

Call letters	Location	Power (kw)	Antenna	Schedule	Class	Date of FCC action	Probable date to commence operation
		1220 kilocycles					
HIN	*Santiago*	0.750	ND	U	III	Aug. 11, 1953	Change in location.
		1310 kilocycles					
HI2K	*Santiago*	0.5	ND	U	III	June 12, 1954	Now in operation.
		1360 kilocycles					
HI5S	*La Romana*	1D/0.1N	ND	U	III/IV	Feb. 5, 1955	Change in call letters and location.
		1400 kilocycles					
HIT	*Ciudad Trujillo*	0.25	ND	U	IV		Previously 1210 kc.
HI1L	*La Vega*	0.25	ND	U	IV		Previously 1220 kc.
HI5K	*Ciudad Trujillo*	0.25	ND	U	IV	Apr. 8, 1953	Now in operation.
		1490 kilocycles					
HI1A	*Moca*	0.25	ND	U	IV	June 25, 1953	Now in operation.
HI2A	*Pimentel*	0.40	ND	U	IV	Mar. 5, 1954	Now in operation.
		1230 kilocycles					
HI3A	Barahona	0.25	ND	U	IV	May 1, 1953	Previously 1400 kc, no change in location.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-5193; Filed, June 28, 1955; 8:55 a. m.]

[Docket Nos. 11417, 11418; FCC 55-691]

TAYLOR BROADCASTING CO. AND GARDEN OF THE GODS BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Taylor Broadcasting Company, Colorado Springs, Colorado, Docket No. 11417, File No. BP-9439; Garden of the Gods Broadcasting Company, Manitou Springs, Colorado, Docket No. 11418, File No. BP-9462; for applications for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 22d day of June 1955;

The Commission having under consideration the above-entitled applications of the Taylor Broadcasting Company for a construction permit for a new standard broadcast station to operate on 1460 kilocycles with a power of 5 kilowatts, daytime only, at Colorado Springs, Colorado; and the Garden of the Gods Broadcasting Company for a construction permit for a new standard broadcast station to operate on 1490 kilocycles with a power of 250 watts, unlimited time, at Manitou Springs, Colorado;

It appearing, that each applicant is legally, technically, financially and otherwise qualified, except as may appear from the issues specified below, to operate its proposed station but that the operation of both stations as proposed would result in mutually prohibitive interference and that the application of the Garden of the Gods Broadcasting Company may involve interference with Stations KRTN, Raton, New Mexico; and KBOL, Boulder, Colorado and because of the interference received from KRTN and KBOL would not comply with § 3.28 (c) of the Commission's rules; and may not otherwise comply with the Standards of Good Engineering Practice with particular reference to the efficiency and location of the antenna system and whether it would constitute a hazard to air navigation; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicants were advised by letters dated November 23, 1954, and March 2, 1955, of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of either application would serve the public interest; and

It further appearing, that timely replies were received from both applicants; and

It further appearing, that the Garden of the Gods Broadcasting Company amended its application on March 28, 1955 to include field intensity measurements purporting to show that its proposed operation would cause no interference to Stations KRTN and KBOL, but that the measurements are insufficient under the Commission's Standards of Good Engineering Practice to prove the absence of the said interference; and

It further appearing, that in a petition filed on February 8, 1955, the Garden of the Gods Broadcasting Company requested that any hearing on the subject applications be held in the vicinity of Manitou Springs, Colorado, rather than at the Commission's offices in

Washington, D. C., on the grounds that a hearing in Washington, D. C. would work a severe hardship on the petitioner; that no comments on this request have been filed by the Taylor Broadcasting Company; and

It further appearing, that the Commission, after consideration of the above replies, is of the opinion that a hearing is necessary;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said applications all designated for hearing in a consolidated proceeding in Manitou Springs, Colorado, at a time to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the operations proposed by the Taylor Broadcasting Company and the Garden of the Gods Broadcasting Company, and the availability of other primary service to such areas and populations.

2. To determine whether the operation proposed by the Garden of the Gods Broadcasting Company would involve interference with Stations KRTN, Raton, New Mexico and KBOL, Boulder, Colorado, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine, in light of Issue 2, whether, because of the interference received from Stations KRTN and KBOL, if any, the proposal of the Garden of the Gods Broadcasting Company would comply with the provisions of § 3.28 (c) of the Commission's rules.

4. To determine whether the operation proposed by the Garden of the Gods Broadcasting Company would be in compliance with the Commission's rules and Standards of Good Engineering Practice with particular reference to minimum efficiency and satisfactory location of the proposed antenna system, and whether the proposed antenna system would constitute a hazard to air navigation.

5. To determine, in light of section 307 (b) of the Communications Act of 1934, as amended, which of the applications, if granted would better provide a fair, efficient and equitable distribution of radio service.

6. To determine, in light of the evidence adduced under the foregoing issues, which if either, of the applications should be granted.

It is further ordered, That the issues in the above-entitled proceeding may be enlarged by the Examiner on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether funds available to the applicant will give reasonable assurance that the proposal set forth in the application will be effectuated.

It is further ordered, That Boulder Radio Station KBOL, Inc., and Southwest Broadcasters, Inc., licensees of Stations KBOL, Boulder, Colorado; and KRTN, Raton, New Mexico, respectively, are made parties to the proceeding.

Released: June 24, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-5188; Filed, June 28, 1955; 8:53 a. m.]

[Docket No. 11416; FCC 55-690]

R. E. HUGHES

ORDER FOR DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of R. E. Hughes, Arcadia, Florida, Docket No. 11416, File No. BP-9663; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 22d day of June 1955;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on 1320 kilocycles with a power of 500 watts, daytime only, at Arcadia, Florida, and

It appearing, that the applicant is legally, technically, financially and otherwise qualified, except as may appear from the issues specified below, to operate the proposed station, but that the application may involve interference with Station WGMA, Hollywood, Florida (1320 kc, 500 w, Day) and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicant was advised by letter dated April 22, 1955 of the aforementioned deficiency and that the Commission was unable to conclude that a grant of the application would be in the public interest; and

It further appearing, that the applicant filed a timely reply to the Commission's letter; and

It further appearing, that in a letter dated May 23, 1955 WGMA requested that the subject application be designated for hearing and that WGMA be made a party to the proceeding; and

It further appearing, that the Commission, after consideration of the above, is of the opinion that a hearing is necessary;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would be served by the subject proposal, and the availability of other primary service to such areas and populations.

2. To determine whether the operation of the subject proposal would involve objectionable interference with Station WGMA, Hollywood, Florida, or any other existing broadcast station, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether, in light of the evidence adduced under the foregoing issues, a grant of the application would be in the public interest.

It is further ordered, That the South Jersey Broadcasting Company, licensee of Station WGMA, Hollywood, Florida, is made a party to the proceeding.

Released: June 24, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-5187; Filed, June 28, 1955; 8:53 a. m.]

[Dockets No. 11421, 11422; FCC 55-693]

HENRYETTA RADIO CO. AND HENRYETTA BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of J. Leland Gourley, Lloyd W Simpson and Charles E. Engleman, d/b as Henryetta Radio Company, Henryetta, Oklahoma, Docket No. 11421, File No. BP-9308; W D. Miller, Glyndal D. Roberts and Donaghey G. Sammons, d/b as Henryetta Broadcasting Company, Henryetta, Oklahoma, Docket No. 11422, File No. BP-9627; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 22d day of June 1955;

The Commission having under consideration the above-entitled applications, each for a construction permit for a new standard broadcast station to operate on 1590 kilocycles with a power of 500 watts, daytime only, at Henryetta, Oklahoma;

It appearing, that the applicants are legally, technically, financially and otherwise qualified, except as may appear from the issues specified below, to operate the proposed station, but that the operation of both stations would result in mutually destructive interference; that the operation of both stations may involve mutual interference with Station KWHP, Cushing, Oklahoma; and that the application of Henryetta Broadcasting Company may not comply with the Commission's Standards of Good Engineering Practice, particularly with reference to minimum efficiency of the proposed antenna system and adequate coverage of the business district of the city sought to be served; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the subject applicants were advised by letter dated February 18, 1955, of the aforementioned deficiencies and that the Commission was unable to conclude that a grant of either application would be in the public interest; and

It further appearing, that timely replies were received from the subject applicants and KWHP and that the above-described deficiencies still obtain; and

It further appearing, that the Commission, after consideration of the re-

plies, is of the opinion that a hearing is necessary·

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the proposed operations, and the availability of other primary service to such areas and populations.

2. To determine whether the operation of either of the proposed stations would cause interference to Station KWHP, Cushing, Oklahoma, or any other existing standard broadcast station, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to the said interference area.

3. To determine whether the installation and operation of the station proposed by the Henryetta Broadcasting Company would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to minimum efficiency of the proposed antenna system.

4. To determine, which of the operations proposed in the above-entitled applications would better serve the public interest in the light of the evidence adduced under the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each of the above-named applicants to own and operate the proposed stations.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed stations.

(c) The programming service proposed in each of the above-mentioned applications.

5. To determine in light of the evidence adduced under the above issues which, if either, of the applications should be granted.

It is further ordered, That the issues in the above-entitled proceeding may be enlarged by the Examiner on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether funds available to the applicant will give reasonable assurance that the proposal set forth in the application will be effectuated.

It is further ordered, That Cimarron Broadcasters, licensee of Station KWHP Cushing, Oklahoma, is made a party to the proceeding.

Released: June 24, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-5190; Filed, June 28, 1955; 8:54 a. m.]

No. 126——6

[Docket No. 11432; FCC 55-702]

GRANDE BROADCASTING CO.

ORDER DESIGNATING MATTER FOR HEARING

In the matter of Wade R. King and D. W Schieber, d/b as Grande Broadcasting Company, Albuquerque, New Mexico, Docket No. 11432, File No. BP-9514; order to show cause why an order to revoke construction permit should not be issued.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 22d day of June 1955;

The Commission having under consideration the above-entitled construction permit granted on March 2, 1955, to Wade R. King and D. W Schieber, d/b as Grande Broadcasting Company, for a new standard broadcast station to operate on 1430 kilocycles with a power of 500 watts, daytime only, at Albuquerque, New Mexico;

It appearing, that the Commission subsequently obtained information tending to indicate that Wade R. King is, in fact, Robert Lex Easley, whose application for renewal of Radiotelephone First-Class Operator License P-2-4503 was dismissed with prejudice by the Commission on May 13, 1954 (FCC 54-629), and

It further appearing, that, pursuant to section 308 (b) of the Communications Act of 1934, as amended, the grantee was requested by letter dated May 11, 1955, to submit a statement under oath by both partners as to whether Wade R. King or John L. Porter have ever been known as Robert Lex Easley· if not, the relationship, business or otherwise, of said parties; information regarding the consulting firm of "King and Porter"· and the present location of Wade R. King and John L. Porter; and

It further appearing, that it was requested in the said letter that the information be submitted to the Commission on or before May 23, 1955, and that failure to comply would result in the issuance of an order looking toward revocation of the above-described construction permit; and

It further appearing, that copies of the said letter were sent by registered mail, return receipt requested, to the grantee at the address listed in its above-entitled application; to two other forwarding addresses used by Wade R. King and to a Goshen, Indiana address listed in said application for D. W Schieber; that two of these letters were returned to the Commission marked "Unclaimed"; that a return receipt dated May 13, 1955, postmarked "Goshen, Indiana" and signed by D. W Schieber, and a return receipt, dated May 13, postmarked "Spring Lake, North Carolina" and signed by an Alton P. Hayes, have been received by the Commission; and

It further appearing, that a reply as requested by the Commission's above-referenced letter of May 11, 1955, has not been received:

It is ordered, That, pursuant to section 312 (c) of the Communications Act of 1934, as amended, Wade R. King and D. W Schieber, d/b as Grande Broadcasting Company, show cause why an order should not be issued revoking the above-entitled construction permit for a new standard broadcast station at Albuquerque, New Mexico and appear and give evidence with respect to the matters described herein at a hearing[1] to be held at Washington, D. C., at 10:00 a. m. on September 15, 1955 before an Examiner to be specified by the Chief Hearing Examiner; and

It is further ordered, That the Secretary send a copy of this order by Registered Mail—Return Receipt Requested to Wade R. King and D. W. Schieber, d/b as Grande Broadcasting Company, Box 1172, Yuma, Arizona.

Released: June 24, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-5191; Filed, June 28, 1955; 8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-2260, G-2576]

COLORADO INTERSTATE GAS CO.

NOTICE OF RESUMPTION OF HEARING

JUNE 21, 1955.

The hearings in the above-designated matters were recessed on December 1, 1954, subject to further order of the Commission.

Notice is hereby given that said hearings are hereby scheduled to resume at 10:00 a. m., e. d. s. t., July 26, 1955, in the Commission's Hearing Room, 441 G Street NW., Washington, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-5154; Filed, June 28, 1955; 8:46 a. m.]

[Docket No. G-8760]

CINCINNATI GAS & ELECTRIC CO.

NOTICE OF APPLICATION

JUNE 23, 1955.

Take notice that The Cincinnati Gas & Electric Company (Applicant), an Ohio corporation with its principal place

[1] Section 1.402 of the Commission's rules provides that in order to have the opportunity to appear before the Commission at the time and place specified in the order to show cause, the licensee shall within thirty (30) days from the date of the receipt of this order submit a written statement informing the Commission whether said licensee will appear at this hearing and present evidence upon the matter specified, or whether the rights to such a hearing are waived. Waiver of the hearing may be accompanied by a statement setting forth the reasons why the licensee believes that an order of revocation should not be issued. A waiver unaccompanied by such a statement will be deemed to be an admission of the allegations specified in the order to show cause. Failure to respond to this order within the above-mentioned thirty (30) day period or failure to appear at the hearing will be deemed to be a waiver of the right to a hearing and an admission of the allegations specified in the order to show cause.

of business in Cincinnati, Ohio, filed on April 13, 1955, an application, as amended May 3 and June 13, 1955, pursuant to section 7 (a) of the Natural Gas Act for an order directing Texas Gas Transmission Company (Texas Gas) to establish physical connection of its transportation facilities with the facilities of Applicant's proposed natural gas distribution system, and to sell natural gas to Applicant for local distribution to the public in the Village of Harrison, Ohio, and in the area adjacent thereto.

Applicant proposes to interconnect its facilities with those of Texas Gas at a point 1.6 miles from the corporate limits of Harrison, Ohio. Applicant purposes to construct a natural gas distribuiton system in Harrison and a 4-inch transmission line connecting this distribution system with the facilities of Texas Gas.

Applicant's annual gas requirements are stated to be 15,600 Mcf for the first year and 49,900 Mcf for the third year. Its first year peak day requirements are stated to be 312 Mcf while its third year requirements are 442 Mcf.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 8th day of July 1955. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-5155; Filed, June 28, 1955; 8:46 a. m.]

[Docket Nos. G-8767, G-8843]

MONTANA-DAKOTA UTILITIES CO. AND SIGNAL OIL AND GAS CO.

NOTICE OF APPLICATIONS AND DATE OF HEARING

JUNE 22, 1955.

In the matters of Montana-Dakota Utilities Co., Docket No. G-8767; Signal Oil and Gas Company, Docket No. G-8843.

Take notice that Montana-Dakota Utilities Co. (Montana-Dakota) a Delaware corporation with principal office at Minneapolis, Minnesota, filed application on April 18, 1955, which was supplemented May 13 and June 6, 1955, for authorization pursuant to section 7 of the Natural Gas Act for Montana-Dakota to abandon, remove, and replace certain existing facilities with new facilities and for the construction and operation of additional facilities hereinafter described, all as more fully represented in the application.

Montana-Dakota does not propose to abandon any service. It proposes to remove 30.45 miles of its Black Hills 12¾-inch transmission pipeline in Harding and Butte Counties, South Dakota, and replace it with 16-inch pipeline. It also proposes to remove two 160 horsepower compressor units from its Baker compressor station on its Black Hills line in Fallon County, Montana and install in lieu thereof one 540 horsepower compressor unit.

Montana-Dakota proposes to construct and operate the following additional facilities: (1) 8.5 miles of 10¾-inch and 0.41 miles of 12¾-inch lateral transmission line extending from the Black Hills line to the Ellsworth Air Force Base near Rapid City, South Dakota, together with metering and regulating facilities, all in Pennington and Meade Counties, South Dakota, (2) 4.47 miles of 4½-inch lateral transmission line extending from Montana-Dakota's 14-inch main line to the proposed Signal desulphurizing plant, together with metering facilities, all in Washakie County, Wyoming; and (3) a 550 horsepower compressor unit in Montana-Dakota's Little Buffalo Basin Compressor Station on its 12-inch line in Hot Springs County, Wyoming, Montana-Dakota also proposes to lease and operate an additional 880 horsepower compressor unit to be installed by Montana-Wyoming Gas Pipe Line Co. (Montana-Wyoming) in its Worland Compressor Station in Washakie County, Wyoming.

The estimated cost of the facilities to be constructed by Montana-Dakota is $1,414,218 and those to be constructed by Montana-Wyoming is $522,697. The proposed construction by Montana-Dakota will be financed from funds on hand and bank loans. The construction of the facilities which Montana-Dakota proposes to lease from Montana-Wyoming will be financed by means of an advance of funds from the lessee to the lessor.

Take further notice that Signal Oil and Gas Company (Signal) a Delaware corporation with principal office at Los Angeles, California, filed application on May 2, 1955, for authorization pursuant to section 7 of the Natural Gas Act for the proposed sale of natural gas to Montana-Dakota as hereinafter described, all as more fully represented in the application.

Signal proposes to sell natural gas to Montana-Dakota at an initial price of 10 cents per Mcf, which gas will be produced from the Embar formation in Washakie County, Wyoming, and processed in Signal's proposed desulphurization plant. The gas will be commingled with other gas and sold at markets in other States served by Montana-Dakota's transmission pipeline system.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 15, 1955, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 11, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-5156; Filed, June 28, 1955; 8:46 a. m.]

[Docket No. G-9065]

HUNT OIL CO.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Hunt Oil Company (Applicant), on May 31, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing, which is proposed to become effective on the date shown:

Description	Purchaser	Rate schedule designation	Effective date [1]
Notice of change, dated May 25, 1955.	United Gas Pipe Line Co....	Supplement No. 4 to Applicant's FPC Gas Rate Schedule No. 5.	July 1, 1955

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Applicant if later.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general Rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said pro-

posed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until December 1, 1955, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f))

Adopted: June 22, 1955.

Issued: June 23, 1955.

By the Commission.[1]

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 55-5164; Filed, June 28, 1955; 8:48 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

DEFENSE HOUSING PROGRAMS IN CRITICAL DEFENSE HOUSING AREAS

MISCELLANEOUS AMENDMENTS

Appearing below are additional defense housing programs published herein as amendments to Part II (Defense Housing Programs) initially published in the FEDERAL REGISTER, October 27, 1951 (16 F. R. 10963)

Applications relating to the construction of such defense housing may be filed with the local FHA office serving the particular critical defense housing area in which the proposed defense housing is located under appropriate regulations of the FHA, and in connection with such housing, the more liberal form of Federal Housing Administration mortgage insurance under title IX of the National Housing Act, as amended, authorized by the Defense Housing and Community Facilities Act of 1951 (Pub. Law 139, 82d Congress) is available. To be eligible for such mortgage insurance all applicable requirements, conditions and restrictions imposed by or pursuant to said title IX of the National Housing Act, as amended, must be complied with. Information concerning such requirements, conditions and restrictions may be obtained from the local FHA offices.

The critical defense housing areas listed in Part II hereof indicate the areas in connection with which defense housing has been programmed. In order to be eligible for the special aid authorized, the housing must be located within the designated critical defense housing area.

PART II—DEFENSE HOUSING PROGRAMS

Amendments to Defense Housing Programs Previously Published Adding Supplemental Defense Housing Programs

114 (A) Fort Huachuca, Ariz.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total—rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	40	$75.00			40
3 or more bedrooms	60	85.00			60
Totals	100				[1] 100

[1] This quota is in addition to the 75 rental units and 75 sales units authorized in Program No. 114.

LIST OF DEFENSE ACTIVITIES

Fort Huachuca.
(Army Electronics Proving Ground)

CRITICAL DEFENSE HOUSING AREA

District 1, including the cities of Bisbee and Tombstone in Cochise County, Arizona.

* * * * * * *

143 (B). Altus, Okla.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total—rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	120	[1] $92.50			120
3 or more bedrooms	80	[2] 85.00			80
Totals	200				[3] 200

[1] 80 units at rents not to exceed $87.50 and 20 units at rents not to exceed $75.00.
[2] 50 units at rents not to exceed $90.00 and 30 units at rents not to exceed $75.00.
[3] This quota is in addition to the 270 units in Programs No. 143 and 20 units in Program No. 143 (A).

LIST OF DEFENSE ACTIVITIES

Altus Air Force Base.

CRITICAL DEFENSE HOUSING AREA

Jackson County, Oklahoma.

143 (c) Altus, Okla.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total—rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	60	[4] $87.50			60
3 or more bedrooms	140	[5] 90.00			140
Totals	200				[6] 200

[4] 30 of these units at rents not to exceed $82.50.
[5] 30 of these units at rents not to exceed $70.00; 70 at not to exceed $75.00; 25 at not to exceed $85.00 and 10 containing at least 4 bedrooms at rents not to exceed $90.00.
[6] This quota is in addition to the 420 units in programs Nos. 143, 143 (A) and 143 (B).

LIST OF DEFENSE ACTIVITIES

Altus Air Force Base.

CRITICAL DEFENSE HOUSING AREA

Jackson County, Okla.

LEWIS E. WILLIAMS, *Acting Housing and Home Finance Administrator.*

JUNE 29, 1955.

[F. R. Doc. 55-5175; Filed, June 28, 1955; 8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

[Notice 66]

MOTOR CARRIER APPLICATIONS

JUNE 24, 1955.

Protests, consisting of an original and two copies, to the granting of an application must be filed with the Commission within 30 days from the date of publication of this notice in the FEDERAL REGISTER and a copy of such protest served on the applicant. Each protest must clearly state the name and street number, city and state address of each protestant on behalf of whom the protest is filed (49 CFR 1.240 and 1.241) Failure to seasonably file a protest will be construed as a waiver of opposition and participation in

[1] Commissioner Digby dissenting.

the proceeding unless an oral hearing is held. In addition to other requirements of Rule 40 of the general rules of practice of the Commission (49 CFR 1.40) protests shall include a request for a public hearing, if one is desired, and shall specify with particularity the facts, matters and things, relied upon, but shall not include issues or allegations phrased generally. Protests containing general allegations may be rejected. Requests for an oral hearing must be supported by an explanation as to why the evidence cannot be submitted in the forms of affidavits. Any interested person, not a protestant, desiring to receive notice of the time and place of any hearing, prehearing conference, taking of depositions, or other proceedings shall notify the Commission by letter or telegram within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

Except when circumstances require immediate action, an application for approval, under section 210a (b) of the act, of the temporary operation of motor carrier properties sought to be acquired in an application under section 5 (a) will not be disposed of sooner than 10 days from the date of publication of this notice in the FEDERAL REGISTER. If a protest is received prior to action being taken, it will be considered.

APPLICATIONS OF MOTOR CARRIERS OF PASSENGERS

No. MC 504 Sub 18, filed May 27, 1955, LOUIS PATZ, doing business as HARPER MOTOR LINES, 220 N. McIntosh St., Elberton, Ga. Applicant's attorney: Reuben G. Crimm, 805 Peachtree Street Building, Atlanta 5, Ga. For authority to operate as a *common carrier* over regular routes, transporting: *General commodities,* except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, (1) between Atlanta, Ga., and Elberton, Ga., over U. S. Highway 78 from Atlanta to Athens, Ga., thence over U. S. Highway 29 to junction Georgia Highway 72, thence over Georgia Highway 72 to Elberton, and return over the same route, serving all intermediate points; (2) between Commerce, Ga., and Comer, Ga., over Georgia Highway 98, serving all intermediate points, restricted against transportation of shipments destined to and from Commerce, Ga., on the one hand, and Atlanta, Ga., and points beyond, on the other hand, and (3) between Jefferson, Ga., and Athens, Ga., over U. S. Highway 129 (Georgia Highway 15) serving all intermediate points, restricted against transportation of shipments destined to and from Jefferson, Ga., on the one hand, and, Atlanta, Ga., and points beyond, on the other hand. Applicant is authorized to conduct regular route operations in Georgia, and irregular route operations in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE: This application and the pending application in Docket No. MC-F-5964, published on page 3072 of issue of May 4, 1955, are directly related to each other.

No. MC 531 Sub 58, filed June 17, 1955, YOUNGER BROTHERS, INC., P O. Box 14287, Houston, Texas. Applicant's attorney: Ewell H. Muse, Jr., Suite 415, Perry Brooks Building, Austin, Texas. For authority to operate as a *common carrier* over irregular routes, transporting: *Liquefied petroleum gases,* in bulk, in tank vehicles, between points in Oklahoma, Texas, Arkansas, Louisiana, Mississippi, Tennessee, Alabama, Georgia and Florida.

No. MC 531 Sub 59, filed June 17, 1955, YOUNGER BROTHERS, INC., P O. Box 14287, Houston, Texas. Applicant's attorney: Ewell H. Muse, Jr., Suite 415, Perry Brooks Building, Austin, Texas. For authority to operate as a *common carrier* over irregular routes, transporting: *Liquid wax,* in bulk, in tank vehicles, between points in New Mexico, Colorado, Kansas, Oklahoma, Texas, Arkansas, Missouri, Louisiana, Mississippi, Tennessee, Alabama, Georgia and Florida.

No. MC 3009 Sub 17, filed June 10, 1955, (Amended), (published June 22, 1955, page 4383) WEST BROTHERS, INC., 706 East Pine, Hattiesburg, Miss. Applicant's attorney: Dudley W Conner, Conner Bldg., Hattiesburg, Miss. For authority to operate as a common carrier, over regular routes, transporting: *General commodities,* except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, (1) between Birmingham, Ala., and Gadsden, Ala., over U. S. Highway 11, and (2) between Gadsden, Ala., and Guntersville, Ala., over U. S. Highway 241, and return over the above routes, serving all intermediate points. Applicant is authorized to conduct operations in Alabama, Louisiana, and Mississippi.

NOTE: This case is directly related to MC-F-5996.

No. MC 4676 Sub 2, filed June 13, 1955, ARNOLD A. HAHN, Enterprise, Oreg. Applicant's representative: J. L. Soule, P O. Box 606, Baker, Oreg. For authority to operate as a *common carrier,* over irregular routes, transporting: *Household goods* as defined by the Commission, *emigrant movables, livestock, agricultural commodities,* including *agricultural products,* processed and unprocessed, *agricultural supplies, agricultural equipment and agricultural implements, fertilizer* and *seeds, building materials; products of mines and quarries,* processed and unprocessed; *ores,* and *concentrates,* (1) between points in Wallowa County, Oreg., and (2) between points in Wallowa County, Oreg., and points in Washington, Idaho, California, and Nevada. Applicant is authorized to conduct operations in Idaho, Oregon, and Washington.

No. MC 10397 Sub 2, filed June 15, 1955, FRED STOCK, INC., 327 Boyden Avenue, Maplewood, N. J. Applicant's attorney: August W Heckman, 880 Bergen Avenue, Jersey City 6, N. J. For authority to operate as a *contract carrier,* over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products and articles distributed by meat packing houses* as defined by the Commission in Ex Parte No. MC-38 from Newark, N. J. to points in Monmouth County, N. J., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, on return movement. Applicant is authorized to conduct operations in New Jersey and New York.

No. MC 15661 Sub 4, filed June 10, 1955, JOSEPH G. LENO, doing business as KENT TRANSPORT COMPANY, 4941-43 Lancaster Avenue, Philadelphia, Pa. For authority to operate as a *contract carrier,* over irregular routes, transporting: *Prefabricated homes* from Pemberton, N. J., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, Pennsylvania, and the District of Columbia.

No. MC 22974 Sub 1, filed June 15, 1955, PHILLIP T. WOODFIN, doing business as PAINE-WOODFIN EXPRESS CO., 32 Atlantic Avenue, Marblehead, Mass. For authority to operate as a *common carrier,* over irregular routes, transporting: *Boats,* between points in Massachusetts and points in Maine, New Hampshire, Connecticut, Rhode Island and New York.

No. MC 28675 Sub 5, filed June 10, 1955, W FORD JOHNSON CARTAGE, INC., 117½ W Grand River Ave., Howell, Mich. For authority to operate as a common carrier, transporting: *General commodities,* except those of unusual value, Class A and Class B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, serving the site of the Sterling Plant of the Ford Motor Company (Chassis Parts Division) located at or near the northeast intersection of Mound Road and Seventeen Mile Road, one mile beyond the northern limits of the commercial zone of Detroit, as defined by the Commission, as an off-route point in connection with regular route operations to and from Detroit, Mich. over Michigan Highway 53. Applicant is authorized to conduct operations in Michigan.

No. MC 29079 Sub 5, filed June 3, 1955, BRADA CARTAGE COMPANY, 4001 Central Ave., Detroit 10, Mich. Applicant's attorney: Wm. R. Hefferan, 1419-25 Majestic Bldg., Detroit 26, Mich. For authority to operate as a *common carrier* over irregular routes, transporting: *Iron articles* and *steel articles,* as defined by the Commission in Ex Parte No. MC-45, from Ashland, Ky. and Newport, Ky. and points in Ohio (except Toledo), to the site of the Ford Motor Company, Chassis Parts Manufacturing Plant, located at or near the intersection of Seventeen Mile and Mound Roads, Sterling Township, Macomb County, Mich. Applicant is authorized to conduct operations in Michigan, Ohio, Indiana, and Kentucky.

No. MC 33641 Sub 23, filed June 11, 1955 (amended June 14, 1955) INTERSTATE MOTOR LINES, INC., 235 West 3rd South, Salt Lake City 1, Utah. For authority to operate as a *common carrier* over regular routes, transporting: *General commodities,* including *Class A and Class B explosives,* but excluding those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, (1) between junction of U. S. Highway 30 and U. S. Highway 30N near Granger, Wyo., and Boise, Idaho, from the junction of U. S. Highway 30 and U. S. Highway 30N, over U. S. Highway 30N to its junction with U. S. Highway 30 near Burley, Idaho, thence over U. S. Highway 30 to Boise, and return over the same route, serving all intermediate points, and the off-route points of Westvaco Chemical Co. plant and mine near Little America, Wyo., the plants and mines of the San Francisco Chemical Co. at or near Leaf, Wyo., Montpelier, Idaho, and Randolph, Utah, and all points within ten miles on either side of U. S. Highway 30N between the junctibn of U. S. Highway 30 and 30N, near Granger, Wyo., and Montpelier, Idaho; (2) between Pocatello, Idaho, and Bliss, Idaho, from Pocatello over U. S. Highway 91–191 to Idaho Falls, Idaho, thence over U. S. Highway 20 to Arco, Idaho, thence over U. S. Alternate Highway 93 to Shoshone, Idaho, thence over U. S. Highway Temp. 20 to Bliss, Idaho, and return over the same route, serving all intermediate points, and the off-route point of the United States Atomic Energy Reactor Station and Reservation near Arco, Idaho; (3) between junction of U. S. Highway 30N and Idaho Highway 25 at Rupert, Idaho, and Bliss, Idaho, from the junction of U. S. Highway 30N with Idaho Highway 25 over Idaho Highway 25 to Bliss, serving all intermediate points; (4) between Blackfoot, Idaho, and junction U. S. Highway 20 and U. S. Highway 26 near Scoville, Idaho, from Blackfoot, Idaho, over U. S. Highway 26 to its junction with U. S. Highway 20 near Scoville, Idaho, serving all intermediate points. Applicant is authorized to conduct operations in California, Nevada, Colorado, Utah, Wyoming, Illinois, and Iowa.

No. MC 35334 Sub 37, filed May 26, 1955, COOPER-JARRETT, INC., 1223 West 73rd St., Chicago 36, Ill. For authority to operate as a *common carrier,* over regular routes, transporting: *General commodities,* except those of unusual value and except Class A and B explosives, and household goods, as defined by the Commission, and commodities in bulk, commodities requiring special equipment (not including those requiring refrigeration) between (1) Kansas City, Mo., and Hannibal, Mo., from Kansas City over U. S. Highway 24 to junction U. S. Highway 36, thence over U. S. Highway 36 to Hannibal, and return over the same routes, serving no intermediate points, as an alternate route in connection with applicant's regular-route operations between Kansas City, Mo., and Chicago, Ill., and (2) between Huntington, Ind., and Tiffin, Ohio, from Huntington over U. S. Highway 224 to Tiffin, and return over the same route, serving no intermediate points, as an alternate route in connection with applicant's regular-route operation between Kansas City, Mo., and New York, N. Y. Applicant is authorized to conduct operations in Colorado, Connecticut, Illinois, Iowa, Kansas, Massachusetts, Missouri, Nebraska, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, and Tennessee.

No. MC 46054 Sub 71, filed May 16, 1955, BROWN EXPRESS, a corporation, 434 South Main Avenue, San Antonio, Tex. Applicant's attorney: Herbert L. Smith, Perry Brooks Bldg., Austin 1, Tex. For authority to operate as a *common carrier* over a regular route, transporting: *General commodities,* except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Ennis, Tex., and Fort Worth, Tex., over U. S. Highway 287, serving no intermediate points but serving Ennis, Tex., for joinder purposes only, as an alternate or connecting route for operating convenience only, in connection with carrier's regular route operations between Fort Worth, Tex., and Houston, Tex. Applicant is authorized to conduct operations in Texas.

No. MC 52704 Sub 32, Filed June 6, 1955, GLENN McCLENDON, Lafayette, Ala. Applicant's attorney: D. H. Markstein, Jr., 818–821 Massey Building, Birmingham 3, Ala. For authority to operate as a common carrier, over irregular routes, transporting: *Glass bottles* and *glass food containers,* between Laurens, S. C., on the one hand, and, on the other, points in Mississippi. Applicant is authorized to conduct operations in South Carolina, Alabama and Florida.

No. MC 55811 Sub 24, filed May 23, 1955, and amended June 15, 1955, CRAIG TRUCKING, INC., Albany, Ind. Applicant's attorney: Howell Ellis, 520 Illinois Bldg., Indianapolis, Ind. For authority to operate as a *common carrier* over irregular routes, transporting: *Foodstuffs and food preparations,* from Collinsville, Ill., to points in Indiana and Louisville, Ky., and (2) *Such materials, supplies, and equipment as are used or useful in the manufacture, packing, shipping and sale of foodstuffs and food preparations,* (a) from Collinsville and Chicago, Ill., to points in Boone, Delaware, Hancock, Henry and Howard Counties, Ind., and (b) from points in Boone, Hancock, Henry, Howard, and Marion Counties, Ind., to Collinsville, Ill. *Empty containers or other such incidental facilities* used in transporting the commodities specified in this application, on return. Applicant is authorized to conduct operations in Kentucky, Ohio, Missouri, Illinois, Michigan, Pennsylvania, Iowa, and West Virginia.

No. MC 66562 Sub 1230, Filed April 6, 1955, (Amended) RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42nd Street, New York 17, N. Y. Applicant's attorney: J. H. Mooers, 219 East 42nd Street, New York 17, New York. For authority to operate as a *common carrier* over regular routes, transporting: *General commodities, including Class A and B explosives,* moving in express service, between junction of unnumbered road (Miles Road) and Ohio Highway 43 and Brecksville, Ohio, from junction of unnumbered road (Miles Road) and Ohio Highway 43 over unnumbered road (Miles Road) to junction with unnumbered road (Warrensville Center Road) thence over unnumbered road (Warrensville Center Road) to Bedford, thence over Ohio Highway 14 to junction with Ohio Highway 17, thence over Ohio Highway 17 to junction U. S. Highway 21, thence over U. S. Highway 21 to Brecksville, Ohio, and return over the same route, serving the intermediate points of Bedford and South Park, Ohio. Applicant is authorized to conduct operations in all 48 States and the District of Columbia.

No. MC 66562 Sub 1239, filed June 17, 1955, RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42nd St., New York 17, N. Y. Applicant's attorney: J. H. Mooers (same address as applicant) For authority to operate as a *common carrier,* over regular routes, transporting: *General commodities,* including *Class A and B explosives,* moving in express service between Toledo, Ohio, and Dayton, Ohio, from Toledo over U. S. Highway 25 to junction Ohio Highway 65, thence over Ohio Highway 65 to junction Ohio Highway 64, thence over Ohio Highway 64 to junction Ohio Highway 110, thence over Ohio Highway 110 to junction Ohio Highway 69, thence over Ohio Highway 69 to junction Ohio Highway 18, thence over Ohio Highway 18 to junction Ohio Highway 65, near Deshler, thence over Ohio Highway 65 to junction Ohio Highway 67, thence over Ohio Highway 67 to junction U. S. Highway 25 at Wapakoneta, and thence over U. S. Highway 25 to Dayton, and return over the same route, serving the intermediate and/or off-route points of Tontogany, Weston, Deshler, Leipsic, Ottawa, Columbus Grove, Cairo, Lima, Wapakoneta, Botkins, Sidney, Piqua, Troy and Tipp City, Ohio. Applicant is authorized to conduct operations throughout the United States.

No. MC 67818 Sub 54, filed June 13, 1955, MICHIGAN EXPRESS, INC., 505 Monroe Ave., N. W., Grand Rapids, Mich. Applicant's attorney: Leonard D. Verdier, Jr., Michigan Trust Bldg., Grand Rapids 2, Mich. For authority to operate as a common carrier, transporting: *General commodities,* except those of unusual value, Class A and Class B explosives, household goods as defined by the Commission, commodities in bulk (not including metal products and scrap metals in bulk) and commodities requiring special equipment, serving the site of the Ford Motor Company, Chassis Parts Division, Sterling Plant, at or near the northeast intersection of Mound Road and Seventeen Mile Road in Sterling Township, Macomb County, Mich., as an off-route point in connection with applicant's authorized regular route operations to and from Detroit, Mich. and the commercial zone thereof over U. S. Highway 16, and Michigan Highway 17. Applicant is authorized to conduct operations in Michigan, Indiana, Ohio, Pennsylvania, New York, New Jersey, and Maryland.

No. MC 68078 Sub 13, filed May 26, 1955, CENTRAL MOTOR EXPRESS, INC., 2909 South Hickory Street, P O. Box 1968, Chattanooga, Tenn. Applicant's attorney· Blaine Buchanan, 1024 James Building, Chattanooga 2, Tenn. For authority to operate as a *common carrier* over regular routes, transporting: *General commodities,* except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, (1) between Chattanooga, Tenn., and Kingston, Tenn., over Tennessee Highway 58, serving all intermediate points, and all off-route points within two (2) miles of Tennessee Highway 58; (2) Between Decatur, Tenn., and Athens, Tenn., over Tennessee Highway 30, serving all intermediate points; (3) between junction Tennessee Highway 68 and U. S. Highway 27, south of and near Spring City, Tenn., and junction Tennessee Highways 58 and 68, over Tennessee Highway 68, serving all intermediate points; and (4) between Chattanooga, Tenn., and junction Tennessee Highway 2–A and U. S. Highway 11, at or near Silverdale, Tenn., over Tennessee Highway 2–A, via Tyner, Tenn., serving all intermediate points and the off-route point of the site of the Chickamauga Dam, near Tyner, Tenn. Applicant is authorized to conduct operations in Alabama and Tennessee.

No. MC 70151 Sub 22, filed June 13, 1955, UNITED TRUCKING SERVICE, INCORPORATED, 3047 Lonyo Road, P O. Box 474, Roosevelt Park Station, Detroit, Mich. Applicant's attorney· Jack B. Josselson, Atlas Bank Bldg., Cincinnati 2, Ohio. For authority to operate as a *common carrier* transporting: *General commodities,* except those of unusual value, livestock, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving Forest, Ohio, as an off-route point, over Ohio Highway 53 between Kenton, Ohio and Upper Sandusky, Ohio, and over Ohio Highway 37 between Forest and the junction of U. S. Highway 30N, serving no intermediate points, in connection with carrier's regular route operations between Indianapolis, Ind., and Upper Sandusky, Ohio, over U. S. Highway 30N. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, and Ohio.

No. MC 78705 Sub 10, filed June 13, 1955, McLAIN TRUCKING, INC., 1242 N. Jefferson St., Muncie, Ind. Applicant's attorney· Mario Pieroni, 523 Johnson Bldg., Muncie, Ind. For authority to operate as a *contract carrier* over irregular routes, transporting: *Rough castings (auto parts, rough), iron and steel rough castings and stampings, nuts and bolts,* and *transmissions and transmission parts,* from Muncie, Ind. to the site of the Ford Motor Company Chassis Parts Division, Sterling Plant, at or near the intersection of Mound Road and Seventeen Mile Road in Sterling Township, Macomb County Mich., *transmissions and control parts,* between Muncie, Ind. and the above-indicated site of the Ford Motor Company· *rough forgings,* from Portland, Ind. to the above-indicated site of the Ford Motor Company· *sterling wheels,* between Portland, Ind. and the above-indicated site of the Ford Motor Company· *rejected and damaged transmissions and transmission parts, iron bars and steel bars,* and *miscellaneous auto parts,* from the above-indicated site of the Ford Motor Company in Sterling Township, Macomb County Mich. to Muncie, Ind., *skids and pallets, and parts thereof and accessories therefor* from the above-indicated site of the Ford Motor Company to Muncie, Ind. and Portland, Ind. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, Ohio, and New York.

No. MC 80430 Sub 76, filed May 31, 1955, GATEWAY TRANSPORTATION CO., a corporation, 2130 South Avenue, La Crosse, Wis. For authority to operate as a *common carrier* over regular routes, transporting: *General commodities,* except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between junction U. S. Highway 67 and U. S. Highway Alternate 67 south of Jacksonville, Ill., and junction U. S. Highway 67 and U. S. Highway Alternate 67 north of Alton, Ill., over U. S. Highway 67, serving no intermediate points, and serving the termini as points of joinder only, in connection with carrier's regular route operations between St. Louis, Mo., and Waukon, Iowa, (see route (2) under the next commodity description) (3) between junction U. S. Highway 36 and Illinois Highway 57 near Kinderhook, Ill., and junction U. S. Highways 24 and 61 west of Quincy, Ill., from junction U. S. Highway 36 and Illinois Highway 57 near Kinderhook over Illinois Highway 57 to junction U. S. Highway 24 at Quincy, Ill., thence over U. S. Highway 24 to junction U. S. Highway 61 west of Quincy, and return over the same route, serving no intermediate points, and serving the termini as points of joinder only, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between St. Louis, Mo., and Waukon and Keokuk, Iowa, (4) between junction U. S. Highway 20 and Ohio Highway 58 south of Elyria, Ohio, and Ashland, Ohio, over Ohio Highway 58, serving no intermediate points, and serving the termini as points of joinder only, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between Mansfield, Ohio, and Cleveland, Ohio, and between carrier's alternate route operations between junction U. S. Highway 20 and Indiana Highway 2 east of Rolling Prairie, Ind., and South Bend, Ind. (5) between junction U. S. Highway 20 and Ohio Highway 18 near Norwalk, Ohio, and Youngstown, Ohio, over Ohio Highway 18, serving no intermediate points, and serving the termini as points of joinder only, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between (a) Cleveland, Ohio, and Youngstown, Ohio, (b) Chicago, Ill., and Youngstown, Ohio, (c) Bryan, Ohio, and Youngstown, Ohio, and (d) junction U. S. Highway 20 and Ohio Highway 120 west of Toledo, Ohio, and Cleveland, Ohio. *General commodities,* except those of unusual value, livestock, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment (in the application the following route is numbered (2)), between junction U. S. Highway 66 and Illinois Highway 159 at Edwardsville, Ill., and St. Louis, Mo., over U. S. Highway 66 via the Chain of Rocks Bridge, serving no intermediate points, and serving the termini as points of joinder only, for operating convenience only, in connection with carrier's regular route operations between (a) St. Louis, Mo., and Waukon and Keokuk, Mo., and (b) Chicago, Ill., and St. Louis, Mo. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, Pennsylvania and Wisconsin.

No. MC 83539 Sub 20, C & H TRANSPORTATION CO., INC., 2135 W Commerce, P O. Box 5976, Dallas, Tex. Applicant's attorney· W T. Brunson, Leonhardt Bldg., Oklahoma City, Okla. For authority to operate as a *common carrier* over irregular routes, transporting: (1) *Machinery, equipment, materials,* and *supplies,* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, except the stringing and picking up of pipe in connection with main or trunk pipe lines, (2) *heavy machinery,* (3) *heavy machinery parts,* (4) *commodities,* which because of their size or weight require the use of special equipment, handling or rigging, except the stringing and picking up of pipe in connection with main or trunk pipe lines, and (5) *parts of commodities* described in (4) above, between points in Ohio, on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin. Applicant is authorized to conduct operations in Kansas, New Mexico, Texas, Oklahoma, Louisiana, Illinois, Indiana, Kentucky, Mississippi, Arkansas, Wisconsin, North Dakota, South Dakota, Missouri, Nebraska, and Colorado.

No. MC 86247 Sub 1, filed June 13, 1955, INTERNATIONAL CARTAGE LIMITED, a corporation, 712 Huron Line, Windsor, Ontario, Canada. Applicant's attorney· Robert A. Sullivan, 2606 Guardian Building, Detroit 26, Mich. For authority to operate as a *common carrier,* over irregular routes, transporting: *General commodities,* except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between the United States and Canada International Boundary at Detroit, Mich., on the one hand, and, on the other, Gibraltar, Mich. Applicant

is authorized to conduct operations in Michigan.

No. MC 88390 Sub 1, filed June 16, 1955, FRANK A. PFAFF Worthington, Pa. Applicant's attorney: Jerome Solomon, 1325–27 Grant Building, Pittsburgh, Pa. For authority to operate as a *contract carrier* over irregular routes, transporting: *Brick, tile, sewer pipe,* and *clay products,* from points in Armstrong County, Pa., to points in Pennsylvania, Virginia, West Virginia, Maryland, New Jersey, Connecticut, Massachusetts, New York, Delaware, Rhode Island, and the District of Columbia, and *empty containers or other such facilities* (not specified) used in transporting the commodities specified in this application on return. Applicant is authorized to conduct operations in Pennsylvania and New York.

No. MC 92899 Sub 6, filed June 7, 1955, CLAIR S. ZIMMERMAN, 313 Merrill Street, Clearfield, Pa. Applicant's attorney: W Albert Ramey, Clearfield, Pa. For authority to operate as a *common carrier* over irregular routes, transporting: *General commodities, including household goods* as defined by the Commission, but excluding commodities of unusual value, Class A and B explosives, commodities in bulk, and those requiring special equipment, between points in Gibson, Grove and Lumber Townships, Cameron County, Pa., Covington, Girard, Goshen and Karthaus Townships, Clearfield County, Pa., and Benezette Township, Elk County, Pa., on the one hand, and on the other, points in Delaware, Maryland, New Jersey, New York, Ohio, Virginia, West Virginia, and the District of Columbia. Applicant is authorized to conduct operations in Pennsylvania.

No. MC 104819 Sub 90, filed June 16, 1955, C. E. McBRIDE, doing business as COLONIAL FAST FREIGHT LINES, 1201 1st Ave., N., Birmingham, Ala. Applicant's attorney: Bennett T. Waites, Jr., 531–34 Frank Nelson Bldg., Birmingham 3, Ala. For authority to operate as a *common carrier* over irregular routes, transporting: *Meats, meat products,* and *meat by-products,* as defined by the Commission in Ex Parte MC–45, *dairy products* and *frozen foods,* from Knoxville, Tenn., to points in Alabama, Mississippi, Louisiana, Georgia, Florida, North Carolina, South Carolina, Virginia, West Virginia, Delaware, Maryland, and the District of Columbia. Applicant is authorized to conduct operations in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, New Jersey New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia.

No. MC 105556 Sub 23, filed June 9, 1955, HOUCK TRANSPORT COMPANY, a corporation, 1024 2d Avenue North, Billings, Mont. Applicant's attorney: Franklin S. Longan, Suite 319 Securities Building, Billings, Mont. For authority to operate as a *common carrier* over irregular routes, transporting: *Petroleum and petroleum products,* from points in Pennington County, S. Dak., to all points in Montana and North Dakota. Applicant is authorized to conduct operations in Montana, North Dakota, South Dakota and Wyoming.

No. MC 106398 Sub 36, filed June 16, 1955, NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan Road, Tulsa, Okla. For authority to operate as a *common carrier* over irregular routes, transporting: *Trailers,* designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from Tampa, Fla., to points in the United States. Applicant is authorized to conduct operations throughout the United States.

No. MC 106398 Sub 37, filed June 16, 1955, NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan Road, Tulsa, Okla. For authority to operate as a *common carrier* over irregular routes, transporting: *Trailers,* designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from Kingston, N. Y., to points in the United States. Applicant is authorized to conduct operations throughout the United States.

No. MC 107496 Sub 61, filed June 13, 1955 (amended), RUAN TRANSPORT CORPORATION, a corporation, 408 SE. 30th St., Des Moines, Iowa. For authority to operate as a *common carrier,* over irregular routes, transporting: (1) *fertilizer compounds,* dry, not otherwise identified by name, *urea feed mixture,* and *urea,* in bulk, in hopper vehicles, from La Platte, Nebr., to points in Kansas, Missouri, Iowa, Minnesota, and Wisconsin, and (2) *fertilizer,* and *fertilizer ingredients,* in bulk, and in bags, (a) from Dubuque, Iowa, to points in Illinois, Minnesota, and Wisconsin, and (b) from Eagle Grove, Iowa, and St. Joseph, Mo., to points in Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. Applicant does not presently hold any authority to transport the commodities specified in this application but report and order has been served in Docket No. MC 107496 Sub 55 recommending grant of authority to transport fertilizer, in bulk, in hopper vehicles, over irregular routes, in the states of Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin.

No. MC 107826 Sub 4, filed June 10, 1955, WILLIAM R. FOWLER, Delsea Drive, Eldora, N. J. Applicant's attorney: William J. Augello, Jr., 99 Hudson St., New York 13, N. Y. For authority to operate as a *common carrier* over irregular routes, transporting: *Fish solubles,* in bulk, in tank vehicles, *fish meal,* and *fish scrap,* from Wildwood, N. J., to points in Adams, Berks, Bucks, Carbon, Chester, Columbia, Cumberland, Dauphin, Delaware, Franklin, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Northumberland, Philadelphia, Pike, Schuylkill, Snyder, Union, and York Counties, Pa., Kent, New Castle, and Sussex Counties, Del., and Anne Arundel, Baltimore, Carroll, Cecil, Frederick, Harford, Howard, and Montgomery Counties, Md., *muriatic (hydrochloric) acid,* in carboys, from Philadelphia, Pa., to Wildwood, N. J.

NOTE: Applicant states that all duplicating authority is to be excluded. Applicant is authorized to conduct operations in New Jersey, Delaware, Maryland, and Pennsylvania.

No. MC 108380 Sub 39, filed May 13, 1955, and published on page 3860, issue of June 2, 1955, and amended June 20, 1955, JOHNSTON'S FUEL LINERS, INC., P. O. Box 328, Newcastle, Wyo. Applicant's attorney: Truman A. Stockton, Jr., 1650 Grant St. Bldg., Denver 3, Colo. For authority to operate as a *common carrier* over irregular routes, transporting: *Petroleum* and *petroleum* products, in bulk, in tank vehicles, from points in Pennington and Meade Counties, S. Dak., to points in North Dakota on and west of U. S. Highway 83, points in Montana on and east of a line extending along U. S. Highway 87 from the Montana-Wyoming State line, to Billings, Mont., thence along U. S. Highway 10 through Livingston, Mont., to junction U. S. Highway 10N, thence along U. S. Highway 10N through Townsend, Mont., to Helena, Mont., thence along U. S. Highway 91 through Cascade, Mont., to Great Falls, Mont., and thence along U. S. Highway 89 through Browning, Mont., to the International Boundary line between the United States and Canada, and that part of Wyoming on and east of U. S. Highway 87, and return. Applicant is authorized to conduct operations in Wyoming, North Dakota, South Dakota, Nebraska, Idaho, Colorado, and Montana.

No. MC 109584 Sub 25, filed June 17, 1955, ARIZONA-PACIFIC TANK LINES, a corporation, 717 North 21st Ave., Phoenix, Ariz. Applicant's attorney: R. Y. Schureman, 639 South Spring St., Los Angeles 14, Calif. For authority to operate as a *common carrier* over irregular routes, transporting: *Anhydrous ammonia,* in bulk, in tank vehicles, from points in Maricopa County, Ariz., to points in Colorado, New Mexico, and Utah. Applicant is authorized to conduct operations in Arizona, California, and Utah.

No. MC 113459 Sub 11, filed June 15, 1955, H. J. JEFFRIES TRUCK LINE, INC., 4720 S. Shields St., P. O. Box 4877, Capitol Hill Station, Oklahoma City 9, Okla. Applicant's attorney: W. T. Brunson, Leonhardt Bldg., Oklahoma City, Okla. For authority to operate as a *common carrier* over irregular routes, transporting: (1) *Machinery, equipment, materials,* and *supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their porducts and by-products, except the stringing and picking up of pipe in connection with main or trunk pipe lines, (2) *heavy machinery,* (3) *heavy machinery parts,* (4) *commodities,* which because of their size or weight require the use of special equipment, handling or rigging, except the stringing and picking up of pipe in connection with main or trunk pipe lines, and (5) *parts* of commodities, described in (4) above, between points in Ohio, on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Kansas, Louisiana, Missouri, Montana, Nebraska,

New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming. Applicant is authorized to conduct operations in Iowa, Illinois, Indiana, Texas, Oklahoma, Kansas, Arkansas, New Mexico, Kentucky, Louisiana, Montana, Nebraska, North Dakota, South Dakota, and Utah.

No. MC 113514 Sub 12, filed June 16, 1955, CHEMICAL TRANSPORTS, INC., 305 Simons Bldg., Dallas, Texas. Applicant's attorney: W D. White, 17th Floor Mercantile Bank Bldg., Dallas 1, Texas. For authority to operate as a *common carrier* over irregular routes, transporting: *Muriatic acid* (hydrochloric) in bulk, in rubber lined tank vehicles, from Fort Worth, Tex., to Healdton, Miami and Lillard Park, Okla.

No. MC 115342 Sub 1, filed June 10, 1955, H. L. REYNOLDS, doing business as Reynolds Trucking Co., 303 Fifth Ave., Attalla, Ala. For authority to operate as a contract carrier, over irregular routes, transporting: *Surplus property* owned by the United States Government and allocated to the Alabama State Agency for Surplus Property for use in Alabama public health and educational institutions, from military installations and Federal agencies located in States east of the Mississippi River, including Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Ohio, Virginia, West Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, Mississippi, Louisiana, Indiana, Illinois, Michigan, Wisconsin, and the District of Columbia, to Camp Sibert, Attalla, Ala.

No. MC 115373, Filed May 24, 1955, JOHN RAFFEL, doing business as FRANK RAFFEL HAULING CO., 2521 North Broadway, St. Louis 6, Mo. For authority to operate as *contract carrier* over regular routes, transporting: *Bakery goods,* between St. Louis, Mo. and Belleville, Ill., from St. Louis, Mo. across the Mississippi River, over the MacArthur Bridge to East St. Louis, Ill., thence over U. S. Highway 460 to Belleville, Ill.

No. MC 115395, filed June 10, 1955, INTERSTATE TRUCK BROKERS, INC., Wabash Avenue and U. S. 92, Lakeland, Fla. Applicant's attorney: D. B. Kibler, III, Deen-Bryant Building, P O. Box 1241, Lakeland, Fla. For authority to operate as a *contract carrier* over regular routes, transporting: *Salt* (sodium chloride) in blocks, and in sacks, from the Plant of Gulf Salt Co., in Houston, Tex., to Jacksonville, Lakeland, Tampa and Miami, Fla., (1) from Houston over U. S. Highway 90 to Tallahassee, Fla. (also from Houston over U. S. Highway 90 to junction U. S. Highway 165, thence over U. S. Highway 165 to Kinder, La., thence over U. S. Highway 190 to junction U. S. Highway 90 east of Slidell, La., thence over U. S. Highway 90 to Tallahassee, Fla.) thence over U. S. Highway 90 to Jacksonville, (2) from Houston to Tallahassee, Fla., as specified in (1) above, thence over U. S. Highway 27 to Perry, Fla., thence over U. S. Highway 19 to Chiefland, Fla., thence over Alternate U. S. Highway 27 to junction U. S. Highway 41, thence over U. S. Highway 41 through Dunnellon, Fla., to Brooksville, Fla., thence over U. S. Highway 98 to Lakeland, (3) from Houston to Brooksville, Fla., as specified in (2) above, thence over U. S. Highway 41 to Tampa, and (4) from Houston to Brooksville, Fla., as specified in (2) above, thence over U. S. Highway 41 through Tampa, Fla., to Miami, Fla. *Exempt agricultural commodities* on return. Serving no intermediate points on the above-specified routes.

No. MC 115403, filed June 13, 1955, SOUTHWIND TRUCKING COMPANY, A CORPORATION, 4501 East 10th Avenue, Hialeah, Fla. Applicant's attorney: William P Simmons, Jr., First National Bank Bldg., Miami 32, Fla. For authority to operate as a *contract carrier* over irregular routes, transporting: *Lumber* from points in Georgia to points in Dade, Broward, Monroe and Collier Counties, Fla. Applicant is not authorized to transport the commodity specified.

No. MC 115406, Filed June 14, 1955, CHARLES A. WALLS, Route 300, Sudlersville, Md. For authority to operate as a contract carrier, over irregular routes, transporting: *Fertilizer materials,* in bulk, in dump motor vehicles, from Philadelphia and Bristol, Pa. to Chestertown, Md.

No. MC 115409, Filed June 15, 1955, J. A. DALTON AND ROY L. STROUD, doing business as STROUD MILL COMPANY, Waldron, Ark. Applicant's attorney: Hugh M. Bland, 505 Merchants National Bank Bldg., Fort Smith, Ark. For authority to operate as a *common carrier* over irregular routes, transporting: *Lumber* from points in Scott County, Ark. to points in Tennessee, Oklahoma and Kansas, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, on return movement.

No. MC 114485 Sub 1, filed May 27, 1955, CHESTER K. WRENN, doing business as ACME MOVING SERVICE, 315 East High Street, Lexington, Ky. Applicant's attorney: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, Ky. For authority to operate as a *contract carrier* over irregular routes, transporting: *Meats, meat products,* and *meat byproducts, dairy products,* and *articles distributed by meat-packing houses* as defined by the Commission, from Lexington, Ky., to points in Fayette, Bourbon, Nicholas, Robertson, Fleming, Mason, Lewis, Bath, Rowan, Elliott, Morgan, Menifee, Wolfe, Breathitt, Owsley, Lee, Powell, Estill, Jackson, Clay Laurel, Rockcastle, Madison, Clark, Harrison, Bracken, Pendleton, Campbell, Kenton, Boone, Grant, Gallatin, Carroll, Owen, Scott, Franklin, Woodford, Jessamine, Garrard, Lincoln, Pulaski, Casey, Boyle, Mercer, Anderson, Shelby, Jefferson, Oldham, Henry, Washington, Spencer, Bullitt, Hardin, Larue, Marion, Taylor, Adair, Nelson, and Montgomery Counties, Ky. If and when the operations applied for in this application are granted, the applicant is agreeable to the revocation of Permit No. MC 114485. Applicant is authorized to conduct operations in Kentucky.

No. MC 115352 Sub 1, filed May 24, 1955, REGINALD H. REDIKER, doing business as R. H. REDIKER, Beebe, Quebec, Canada. For authority to operate as a *common carrier,* over irregular routes, transporting: *Granite,* rough and finished, and *machinery, equipment,* and *supplies,* used or useful in the quarrying and manufacturing of granite. (1) from Stonington, Maine, to ports of entry at the International Boundary line between the United States and Canada where the State of Vermont borders the Province of Quebec, Canada, and (2) from points in Washington County, Vt., to ports of entry at the International Boundary line between the United States and Canada where the State of Vermont borders the Province of Quebec, Canada, *machinery, equipment,* and *supplies,* used or useful in the quarrying of granite, from Rutland City, Vt., to ports of entry at the International Boundary line between the United States and Canada where the State of Vermont borders the Province of Quebec, Canada; and *steel shot,* from Manchester, N. H., to ports of entry at the International Boundary line between the United States and Canada where the State of Vermont borders the Province of Quebec, Canada, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities on return.

No. MC 115397, filed June 10, 1955, WILLIAM GEORGE MORRISON, Route 2, Box 48, Troutdale, Oreg. Applicant's representative: H. E. Franklin, Jr., 1900 Alsakan Way, Seattle, Wash. For authority to operate as a *contract carrier,* over irregular routes, transporting: *Agricultural seeds, fertilizers, insecticides, lawn and garden tools, agricultural implements and supplies, livestock and poultry equipment and supplies, pet food and pet supplies, calf meal,* and *related advertising material,* between points in Benton, Clackamas, Clatsop, Columbia, Coos, Crook, Curry, Deschutes, Douglas, Gilliam, Hood River, Jackson, Jefferson, Josephine, Klamath, Lane, Lincoln, Linn, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Wasco, Washington and Yamhill Counties, Ore., points in Adams, Asotin, Benton, Chelan, Clark, Columbia, Cowlitz, Franklin, Garfield, Grant, Grays Harbor, King Kittitas, Klickitat, Lewis, Lincoln, Pacific, Pierce, Skagit, Skamania, Snohomish, Spokane, Thurston, Wahkiakum, Walla Walla, Whitman and Yakima Counties, Wash., and those in Benewah, Bonner, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone Counties, Idaho.

No. MC 115399, filed June 13, 1955, J. J. GENTRY, 927 S. E. 7th, Grants Pass, Oreg. Applicant's attorney: Sherman S. Smith, 222 SW Sixth Street, Grants Pass, Oreg. For authority to operate as a *common carrier,* over irregular routes, transporting: *Lumber products,* between points in Josephine and Jackson Counties, Oreg., on the one hand, and, on the other, points in California.

No. MC 115411, filed June 16, 1955, BLAIR CLAYPOOL, Worthington, Pa. Applicant's attorney: Jerome Solomon, 1325–27 Grant Building, Pittsburgh, Pa. For authority to operate as a *contract carrier* over irregular routes, transport-

ing: *Brick, tile, sewer pipe,* and *clay products,* from points in Armstrong County, Pa., to points in Pennsylvania, Virginia, West Virginia, Maryland, New Jersey, Connecticut, Massachusetts, New York, Delaware, Rhode Island, and the District of Columbia, and *Empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified on return.

APPLICATIONS OF MOTOR CARRIERS OF PASSENGERS

No. MC 2414 Sub 4, filed June 6, 1955, SOUTHERN PENNSYLVANIA BUS COMPANY, 920 King St., Wilmington, Del. Applicant's attorney: Frank M. Hunter, 11 S. Olive Street, Media, Pa. For authority to operate as a *common carrier* over regular routes, transporting: *Passengers and their baggage,* in special operations during the season extending from August 1 to October 31, inclusive, of each year, between Chester, Pa., and Brandywine Raceway, New Castle County, Del., near Brandywine, Del., from Chester, Pa., over U. S. Highway 13 to junction unnumbered highway in New Castle County, Del., known as Naaman's Road, thence over said unnumbered highway through Carpenter, Del., to the Brandywine Raceway, and return over the same route, serving the intermediate point of Marcus Hook, Pa., and points between Marcus Hook and the said Brandywine Raceway.

NOTE: Applicant is authorized to conduct the above-described operations during the season from August 14 to September 30, inclusive, of each year.

No. MC 2835 Sub 28, filed June 17, 1955, ADIRONDACK TRANSIT LINES, INC., 495 Brodway, Kingston, N. Y. Applicant's attorney: Martin J. Kelly, Jr., 70 Pine St., New York 5, N. Y. For authority to operate as a *common carrier* over regular routes, transporting: *Passengers and their baggage,* and *express* and *newspapers,* in the same vehicle with passengers, between the junction of New York Highways 32 and 32A in the town of Saugerties, Ulster County, N. Y., and the junction of New York Highways 23 and 32 in the town of Cairo, Greene County, N. Y., over New York Highway 32, serving all intermediate points, and between the junction of New York Highways 23A and 32A in the town of Catskill at or near the hamlet of Palenville, Greene County, N. Y., and the junction of New York Highways 23A and 32 in the town of Catskill at or near the hamlet of Kiskatom, Greene County, N. Y., over New York Highway 23A, serving all intermediate points. Applicant is authorized to conduct operations in New Jersey and New York.

No. MC 3647 Sub 187, filed June 14, 1955, PUBLIC SERVICE COORDINATED TRANSPORT, a corporation, 80 Park Place, Newark, N. J. Applicant's attorney: Winslow B. Ingham, Law Department, Public Service Coordinated Transport, Public Service Terminal, Newark 1, N. J. For authority to operate as a *common carrier* over a regular route, transporting: *Passengers and their baggage,* in the same vehicle with passengers, between junction Empire Street and Meeker Avenue, Newark, N. J., and junction Haynes Avenue and U. S. Highway 1, Newark, N. J., from junction Empire Street and Meeker Avenue over Meeker Avenue to junction Haynes Avenue, thence over Haynes Avenue to junction U. S. Highway 1, and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations in Delaware, New Jersey, New York and Pennsylvania.

No. MC 59155 Sub 20, filed May 25, 1955, REYNOLDS TRANSPORTATION COMPANY, a West Virginia corporation, 30 N. Kanawha Street, P O. Box 127, Buckhannon, W. Va. Applicant's attorney: Chester E. King, 1507 N Street NW., Washington 5, D. C. For authority to operate as a *common carrier* over regular routes, transporting: *Passengers and their baggage,* and *express* and *newspapers,* in the same vehicle with passengers, (1) between Clarksburg, W. Va., and Wheeling, W. Va., from Clarksburg over West Virginia Highway 73 to junction U. S. Highway 250, thence over U. S. Highway 250 to Wheeling, and return over the same route, serving all intermediate points. RESTRICTION: No service is to be rendered between Clarksburg and Bridgeport, W. Va., over West Virginia Highway 73, or between Moundsville and Wheeling, W Va., over U. S. Highway 250; and (2) between junction U. S. Highway 219 and West Virginia Highway 24 and Aurora, W. Va. (Mill Stone Lodge) from junction U. S. Highway 219 and West Virginia Highway 24, over West Virginia Highway 24 to junction U. S. Highway 50, thence over U. S. Highway 50 to Aurora (Mill Stone Lodge) and return over the same route, serving all intermediate points. RESTRICTION: No service is to be rendered between junction U. S. Highway 50 and West Virginia Highway 24 and Aurora, W. Va. (Mill Stone Lodge) over U. S. Highway 50. Applicant is authorized to conduct operations in Maryland, Virginia, and West Virginia.

No. MC 109780 Sub 43, filed June 9, 1955, TRANSCONTINENTAL BUS SYSTEM, INC., 315 Continental Ave., P. O. Box 6067, Dallas, Tex. Applicant's attorney: R. Y. Schureman, 639 S. Spring Street, Los Angeles 14, Calif. For authority to operate as a *common carrier,* over regular routes, transporting: *Passengers* and *their baggage,* and *newspapers, express,* and *mail,* in the same vehicle with passengers, between Los Angeles, Calif. and junction of U. S. Highway 101 and U. S. Highway 101 Alternate near the Pacific Ocean, from Los Angeles Depot over city streets to U. S. Highway 101, thence over U. S. Highway 101 to its junction with U. S. Highway 101 Alternate near the Pacific Ocean, and return over the same route, serving no intermediate points.

NOTE: Applicant proposes to utilize U. S. Highway 101 between Los Angeles and its junction with U. S. Highway 101 Alternate as it now or may hereafter exist in lieu of the following presently authorized route: "Between Los Angeles Depot and Doheny Park, Calif. (near Serra, Calif.), from Los Angeles Depot over city streets to the junction of California Highways 166 and 173, thence over California Highway 166 to Santa Fe Springs, Calif., thence over California Highway 170 to Norwalk, Calif., thence over California Highway 10 to its junction with California Highway 2, thence over California Highway 2 to Santa Ana, Calif., thence over 17th Street to junction California Highway 55, thence over California Highway 55 to Tustin, Calif., and thence over U. S. Highway 101 to Doheny Park. Service is not authorized to or from intermediate points." Applicant is authorized to conduct operations in Arkansas, Arizona, California, Colorado, Illinois, Iowa, Kansas, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, Texas, and Utah.

CORRECTION

No. MC 106223 Sub 32, filed May 9, 1955, and amended May 16, 1955, BRUCE F. JARVIS, doing business as GREENLEAF MOTOR EXPRESS, 4606 State Ave., Ashtabula, Ohio, published on page 3859, issue of June 2, 1955, No. MC 106623 Sub 32 was used instead of MC 106223 Sub 32.

APPLICATIONS UNDER SECTION 5 AND 210a (b) AMENDMENT

No. MC-F-5595, filed November 3, 1953. Authority sought for purchase by R. C. MOTOR LINES, INC., 2500 Laura St., Jacksonville, Fla., of a portion of the operating rights of R. D. NILSON, doing business as NILSON MOTOR EXPRESS, P. O. Box 38 Myers P. O., Charleston, S. C., and for acquisition by B. S. REID and G. D. JOYNER, Jacksonville, Fla., of control of said operating rights through the purchase. Applicants' attorney: Jos. M. Glickstein, Barnett Bldg., Jacksonville, Fla. Operating rights sought to be transferred: *General commodities,* with certain exceptions, including household goods, as a *common carrier,* over irregular routes, between Wilmington, N. C., and points within 15 miles of Wilmington, on the one hand, and, on the other, points in Georgia (except Savannah, Ga., and points in Georgia within 15 miles thereof), North Carolina, and South Carolina (except Charleston, and points in South Carolina within 15 miles thereof) Vendee is authorized to operate in Florida, Maryland, North Carolina, South Carolina, Virginia, Georgia, Pennsylvania, New York, New Jersey, Delaware and the District of Columbia. Application has not been filed for temporary authority under Section 210a (b) A proposed report was issued on February 11, 1955. Amendment to application filed June 21, 1955, seeking authority to transfer the following additional operations: *General commodities,* with certain exceptions, including household goods, as a *common carrier,* over irregular routes, between Wilmington, N. C., and points within 15 miles of Wilmington, on the one hand, and, on the other, Savannah, Ga., and points in Georgia within 15 miles thereof, and Charleston, S. C., and points in South Carolina within 15 miles thereof.

No. MC-F-6003. Authority sought for purchase by REMY MOVING & STORAGE CORP., 310 Third St., Fall River, Mass., of the operating rights and property of EDWARD F. SIMARD, doing business as REMY MOVING COMPANY, 310 Third St., Fall River, Mass., and for acquisition by EDWARD F. SIMARD, Fall River, Mass., of control of the operating rights and property through the purchase. Person to whom correspondence is to be addressed: Ed-

ward F Simard, 310 Third St., Fall River, Mass. Operating rights sought to be transferred: *Household goods,* as a *common carrier* over irregular routes, between Fall River, Mass., and points in New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, and Virginia, and between Cambridge, Mass., and points in Massachusetts within 20 miles of Cambridge, on the one hand, and, on the other, points in Massachusetts, Rhode Island, Connecticut, New Hampshire, Maine, and New York. Vendee is not a motor carrier, but is affiliated with North American Van Lines, Inc., which is authorized to operate in all states in the United States and the District of Columbia. Application has not been filed for temporary authority under section 210a (b)

No. MC–F–6004. Authority sought for purchase by C. M. LANG and C. R. GIVENS, a partnership, doing business as LANG TRANSIT COMPANY, 38th and Quirt Ave., Lubbock, Tex., of a portion of the operating rights and certain property of L. S. JACKSON, doing business as HUB MOTOR LINES, 1109 Grant St., Amarillo, Tex. Applicants' attorney: W D. Benson, Jr., 817 N. Lubbock National Building, Lubbock, Tex. Operating rights sought to be transferred: *General commodities,* with certain exceptions, including household goods, as a *common carrier* over regular routes, including routes between Amarillo, Tex., and junction U. S. Highway 87 and unnumbered highway 5 miles south of Canyon, Tex., between junction Texas Highway 86 and unnumbered highway one mile south of Nazareth, and Earth, Tex., between Earth, Tex., and Muleshoe, Tex., between Springlake, Tex., and Littlefield, Tex., and between Loveland, Tex., and Littlefield, Tex., serving certain intermediate points. Vendor is retaining certain authority to operate in Texas under the Second Proviso of section 206 (a) (1) of the Act. Vendee is authorized to operate in Texas and New Mexico. Application has not been filed for temporary authority under section 210a (b)

No. MC–F–6005. Authority sought for control and merger by CONSOLIDATED FREIGHTWAYS, INC., 2029 N. W Quimby St., Portland, Oreg., of the operating rights and property of MODEL TRUCK & STORAGE CO., 1328 State St., Bellingham, Wash., and for acquisition by E. W A. PEAKE, WANDA PEAKE, 501 Santa Rosa Dr., Palm Springs, Calif., LELAND JAMES, ERIC RENDAHL, and P E E R L E S S, INCORPORATED, 2029 N. W Quimby St., Portland, Oreg., of control of the operating rights and property through the transaction. Applicants' attorney: Donald A. Schafer, 803 Public Service Bldg., Portland, Oreg. Operating rights sought to be controlled and merged: *Machinery,* and *household goods* as defined by the Commission, as a *common carrier* over regular and irregular routes, between points in Whatcom and Skagit Counties, Wash., on the one hand, and, on the other, Portland, Oreg., serving no intermediate points on the regular route, from points in Whatcom and Skagit Counties over irregular routes to junction U. S. Highway 99, and thence over U. S. Highway 99 to Portland; and return over the same route to junction irregular routes, thence over irregular routes to the above-specified origin points; *general commodities,* with certain exceptions, not including household goods, between points in Whatcom and Skagit Counties, Wash., on the one hand, and, on the other, Seattle, Wash., serving no intermediate points on the regular route; *general commodities,* with certain exceptions, not including household goods, over irregular routes, between Bellingham, Wash., on the one hand, and, on the other, points in Whatcom and Skagit Counties, Wash., *general commodities,* with certain exceptions, including household goods, between Ferndale, Wash., on the one hand, and, on the other, Neptune Beach, Wash., and points within three miles of Neptune Beach; *tetraethyl lead,* in bulk, in tank vehicles, from Ferndale, Wash., to points within three miles of Neptune, Wash., including Neptune Beach. Consolidated Freightways, Inc., is authorized to operate in Oregon, Washington, Idaho, Nevada, Minnesota, North Dakota, Montana, Utah, California, Wisconsin, Illinois and Iowa. Application has been filed for temporary authority under section 210a(b)

No. MC–F–6006. Authority sought for purchase by ROY B. MOORE, Wilcox Drive, Kingsport, Tenn., of a portion of the operating rights and certain property of ROBINSON TRANSFER MOTOR LINES, INC., Greenville Highway, Kingsport, Tenn. Applicants' attorney: Clifford E. Sanders, 212 Broad St., Kingsport, Tenn. Operating rights sought to be transferred: *Oil, machinery, and supplies,* incidental to and used in the operation of a silk mill, *cotton textiles, acetate yarns, and acetate staple fiber empty spools, paper cones, tubes, bobbins, spool heads, acids, empty acid containers, industrial alcohol, empty alcohol containers, silk, paper products* and *pulpboard products,* as a *common carrier* over irregular routes, from, to and between certain points in New Jersey, Virginia, South Carolina, North Carolina, Tennessee, and New York. Vendee is authorized to operate in New York, Tennessee, Virginia, Pennsylvania, New Jersey, Maryland, West Virginia, Georgia and Kentucky. Application has not been filed for temporary authority under section 210a (b)

No. MC–F–6007. Authority sought for purchase by D. C. HALL COMPANY, 1401 Foch St., Ft. Worth, Tex. of the operating rights of DAVID C. HALL, doing business as D. C. HALL MOTOR TRANSPORTATION, 1301 Foch St., Ft. Worth, Tex., and D. C. HALL TRANSPORT, INC., 1401 Foch St., Ft. Worth, Tex., and for acquisition by DAVID C. HALL of control of the operating rights through the purchase. Applicant's attorney: Reagan Sayers, Century Life Bldg., Ft. Worth, Tex. Operating rights sought to be transferred: (David C. Hall) *General commodities,* with certain exceptions, including household goods, as a common carrier, over regular routes, including routes between Fort Worth, Tex., and New Orleans, La., between Memphis, Tenn., and Monroe, La., between Shreveport, La., and Oklahoma City, Okla., between Jackson, Miss., and Memphis, Tenn., between Jackson, Miss., and New Orleans, La., between Shreveport, La., and Jackson, Miss., between Dallas, Tex., and Shreveport, La., between Leland, Miss., and Memphis, Tenn., between Jackson, Miss., and Monroe, La., serving certain intermediate points; *such commodities as require refrigeration and packing-house food products which do not require refrigeration,* from Alexandria, La., to Camp Livingston, serving no intermediate points; *packing-house products, poultry, butter eggs,* and *cheese,* between Shreveport, La., and Camp Polk, La., and between Camp Polk, La., and Alexandria, La., serving no intermediate points; *dangerous explosives,* including routes between Fort Worth, Tex., and New Orleans, La., between Jackson, Miss., and Memphis, Tenn., between Baton Rouge, La., and McComb, Miss., and between Shreveport, La., and Oklahoma City, Okla., serving certain intermediate points; *general commodities,* with certain exceptions, including household goods, over alternate regular routes for operating convenience only, between Jackson, Miss., and New Orleans, La., and between Oklahoma City, Okla., and Tulsa, Okla., *general commodities,* with certain exceptions, including household goods, over irregular routes, between Fort Worth, Tex., on the one hand, and, on the other, the Consolidated Bomber Assembly Plant and Anchorage and Dock Space, near Fort Worth; (D. C. Hall Transport, Inc.) *General commodities,* with certain exceptions, including household goods, as a *common carrier,* over regular routes, between Oklahoma City, Okla., and Fort Worth and Dallas, Tex., and between Oklahoma City, Okla., and the Midwest Air Depot, located approximately four miles from Oklahoma City, serving certain intermediate points. D. C. Hall Company is not a motor carrier. Application has not been filed for temporary authority under section 210a (b)

No. MC–F–6009. Authority sought for control and merger by B. C. TRUCK LINES, INC., P O. Box 678, LaGrange, Ga., of the operating rights and property of LAGRANGE TRUCK LINES, INC., 245 University Ave., Southwest, Atlanta, Ga., and for acquisition by MARY K. COLLINS, LaGrange, Ga., of control of the operating rights and property through the transaction. Applicants' attorneys: D. H. Markstein, Jr., and John W Cooper, 821 Massey Bldg., Birmingham, Ala., A. Alvis Layne, Jr., Pennsylvania Ave., Washington, D. C., and R. J. Reynolds, Jr., 1403 C. & S. National Bank Bldg., Atlanta 3, Ga. Operating rights sought to be controlled and merged: *General commodities,* with certain exceptions, including household goods, as a *common carrier,* over irregular routes, between LaGrange, Ga., on the one hand, and, on the other, points in Georgia. B. C. Truck Lines, Inc., is authorized to operate in Alabama and Georgia. Ap-

plication has not been filed for temporary authority under section 210a(b)

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F. R. Doc. 55-5168; Filed, June 28, 1955; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

W P. ACKERMAN AGENCY

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of William P. Ackerman doing business as W P Ackerman Agency, 1010 Jackson Street, Sidney, Nebraska.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 23d day of June 1955.

I. The Commission's public official files disclose that William P. Ackerman, doing business as W P Ackerman Agency, a sole proprietorship, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934, and is a member of the National Association of Securities Dealers, Inc., a national securities association registered pursuant to section 15A of said act.

II. The Records Officer of the Commission has filed with the Commission a statement,[1] a copy of which is attached hereto and made a part hereof, stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

(e) Whether, pursuant to section 15A (*l*) (2) of the Securities Exchange Act of 1934, it is necessary or appropriate in the public interest or for the protection of investors or to carry out the purposes of said section; to suspend the registrant for a period not exceeding twelve (12) months or to expel registrant from membership in the National Association of Securities Dealers, Inc.

V *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 28th day of July 1955, at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 14, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 28, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 55-5157; Filed, June 28, 1955; 8:46 a. m.]

W. R. BELL & CO.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of W. R. Bell & Co., 329 Millburn Avenue, Millburn, New Jersey.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 23d day of June 1955.

I. The Commission's public official files disclose that W. R. Bell & Co., a partnership, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934, and is a member of the National Association of Securities Dealers, Inc., a national securities association registered pursuant to section 15A of said act.

II. The Records Officer of the Commission has filed with the Commission a statement,[1] a copy of which is attached hereto and made a part hereof, stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule-X17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

(e) Whether, pursuant to section 15A (*l*) (2) of the Securities Exchange Act of 1934, it is necessary or appropriate in the public interest or for the protection of investors or to carry out the purposes of said section; to suspend the registrant for a period not exceeding twelve (12) months or to expel registrant from membership in the National Association of Securities Dealers, Inc.

V *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 28th day of July 1955, at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 14, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX

[1] Filed as part of original document.

of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 28, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 55-5158; Filed, June 28, 1955; 8:47 a. m.]

RAYMOND O. SALYER SECURITIES AND BOND BROKER

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of Raymond O. Salyer, doing business as Raymond O. Salyer Securities and Bond Broker, P. O. Box 553, Cheyenne, Wyoming.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 23d day of June 1955.

I. The Commission's public official files disclose that Raymond O. Salyer, doing business as Raymond O. Salyer Securities and Bond Broker, a sole proprietor, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

[1] Filed as part of the original document.

IV The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 28th day of July 1955, at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 14, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 28, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 55-5159; Filed, June 28, 1955; 8:47 a. m.]

W G. SIMMERING AND ASSOCIATES

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of Wilfred G. Simmering doing business as W G. Simmering and Associates, R. F D. Exeter, New Hampshire.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 23d day of June 1955.

I. The Commission's public official files disclose that Wilfred G. Simmering, doing business as W G. Simmering and Associates, a sole proprietor, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1953 and 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 28th day of July 1955, at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 14, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 28, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 55-5160; Filed, June 28, 1955; 8:47 a. m.]

WILLARD B. SMITH

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of Willard B. Smith, North Sioux City, South Dakota.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 23d day of June 1955.

I. The Commission's public official files disclose that Willard B. Smith, a sole proprietor, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1953 and 1954 as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant;

V. *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 28th day of July 1955, at the main office of the Securities and Exchange Commission, located at 425 2d Street, NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 21, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 28, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 55-5161; Filed, June 28, 1955; 8:48 a. m.]

[1] Filed as part of original document.